

**City of Minneapolis**  
**Request for Committee Action**

**To:** Ways & Means  
**Date:** 12/7/2015  
**Referral:** N/A  
**From:** City Attorney's Office  
**Prepared by:** Gregory P. Sautter  
**Presented by:** Susan L. Segal, City Attorney  
**File type:** Action  
**Subcategory:** Settlement

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**Subject:**

Acceptance Indemnity Insurance Company, as subrogee of Cynthia Freeman, v. City of Minneapolis, Court File No. 27-cv-15-3581.

**Description:**

Approving the settlement of this property damage subrogation lawsuit by payment of \$7,500.00 payable to Acceptance Indemnity Insurance Company and its attorney, Maria E. Maier, from Fund/Org. 06900-1500100-145664, and authorizing the City Attorney's office to execute any documents necessary to effectuate the settlement.

**Previous Actions:** None

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**Ward/Address:** Not Applicable

**Background/Analysis:**

This lawsuit arises out of a subrogation claim for an insurance payment made for 52 window screens that were allegedly erroneously taken and destroyed by Solid Waste employees. Plaintiff paid the homeowner an insurance claim of \$25,024.32 and filed a subrogation lawsuit to recover for its payment. In mediation conducted by the presiding judge, the parties agreed to settle this matter, subject to City Council approval, for the payment of \$7,500.00 to Plaintiff. In exchange for the payment, Plaintiff agrees to execute a full and complete release of all claims. The City Attorney's office and Public Works recommend approval of this settlement.

**Financial Review:**

**No additional appropriation required, amount included in current budget.**

- Future budget impact anticipated.**
- Approved by the Permanent Review Committee.**
- Meets Small and Underutilized Business Program goals.**

**Attachments:** None