




500 West Big Beaver  
Troy, MI 48084  
troymi.gov

## CITY COUNCIL AGENDA ITEM

Date: January 2, 2024 

To: Honorable Mayor and Troy City Council Members

From: Lori Grigg Bluhm, City Attorney  
Nicole MacMillan, Assistant City Attorney

Subject: Angela Blanchard v. City of Troy et al—Proposed Settlement Agreement

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Ms. Blanchard filed a lawsuit against the City as a result of a car accident that occurred on February 26, 2021 at about 11:30 pm. On that date, a Troy Police Officer was driving southbound on Rochester Road, when he observed a driver on the northbound side of Rochester speeding at a rate of approximately 80 MPH. The Troy Police Officer used the turnaround just south of Big Beaver, in an attempt to catch the speeding vehicle. As the Troy Police Officer approached Big Beaver, he activated his overhead lights in order to proceed through the red light at the intersection. He made it halfway through the intersection, but as he passed through the second half of the intersection, he was struck by Plaintiff's vehicle.

At the time, Plaintiff did not complain of any injuries, nor did she request an ambulance or other medical attention. Nearly two years later, she filed this lawsuit, alleging that she suffered head, neck and back injuries as a result of the accident. This lawsuit alleges the officer was negligent or grossly negligent, and also is filed against the City as the owner of the vehicle.

On September 28, 2023, the parties participated in the mandatory case evaluation process, where three independent attorneys evaluated statements from the parties and recommend a settlement amount. In this case, the panel recommended that the case be settled for \$30,000. Plaintiff rejected this case evaluation award by failing to timely respond, even though Plaintiff filed a response opposing our motion for summary disposition. Our office continued to prepare for the oral argument for the motion for summary disposition, scheduled for December 13, 2023, and the trial, scheduled January 2, 2024.

On December 12, 2023, Plaintiff's counsel reached out to discuss a possible settlement of the case in advance of the motion for summary disposition. After some negotiation, Plaintiff has agreed to resolve the matter in its entirety for less than the case evaluation award. Based on the settlement offer, the City postponed its motion for summary disposition to allow for City Council action. We recommend Council accept the settlement offer. This would not be an admission of liability, but instead is a recognition of the risks inherent in any litigation, and the anticipated costs and staff time required to proceed to motion and/or trial. If the settlement offer is accepted, the case would be immediately dismissed.

A resolution authorizing us to execute the settlement agreement is proposed for Council's consideration. Please let us know if there are any questions or concerns.