



**COMMISSION
AGENDA MEMORANDUM**

Item No.

6c

ACTION ITEM

Date of Meeting

October 27, 2020

DATE: October 12, 2020
TO: Steve Metruck Executive Director
FROM: Pete Ramels, General Counsel
Anne Purcell, Sr. Port Counsel
SUBJECT: Settlement Agreement

Amount of this request: \$2,000,000

ACTION REQUESTED

Request Commission authorization for the Executive Director to execute a settlement agreement to resolve litigation.

SUMMARY

The plaintiffs' claims arise from an August 6, 2018 incident that occurred on a Port of Seattle-owned and operated shuttle bus at the Seattle-Tacoma International Airport. Plaintiffs boarded a Port shuttle bus to transport them from the terminal to the rental car facility. Plaintiff husband was riding a 3-wheeled mobility scooter that the bus driver did not secure.

As the shuttle bus made a right-hand turn near Cargo Road, the on-board video system showed the scooter and plaintiff husband tipping over and falling to the floor. The shuttle driver stopped the bus almost immediately and rendered assistance. Plaintiff husband sustained significant injuries and continues to suffer from his injuries.

Plaintiffs filed suit in King County Superior Court against the Port alleging negligence. The parties engaged in mediation and extensive settlement negotiations and prior to the scheduled trial the parties agreed to resolve the claims for \$2 million subject to approval by the Commission. The Port's insurance carrier is paying for the portion of the defense costs and settlement that exceed \$1 million.

Considering the costs of litigation that would be needed to take this matter to trial, the significant disruption to the workplace that would result from the required testimony of Port personnel, and the recent changes to the way that cases will be tried in King County that will likely result in significantly longer proceedings, the settlement is recommended. Settlement does not constitute any admission of any wrongdoing or liability on the part of the Port.

This matter was discussed in executive session.

There are no attachments to this memo.