

## SUMMARY OF RESOLUTION

### Authorization for Settlement of Public Liability Claim

An accident involving a Port Authority of Allegheny County (Authority) bus occurred on or about October 23, 2003 at approximately 1:58 p.m., at or near the intersection of East Smithfield Street and Ludwig Street in Elizabeth Township, Allegheny County, Pennsylvania.

The Authority bus that was involved in the accident attempted to drive past an automobile that was on fire when a fire hose being used to put out the automotive fire got caught in the rear axle of the bus. Mr. Henry Greenawald (Greenawald), a volunteer firefighter for the Central Volunteer Fire Company who was handling the fire hose at the time of the incident, was injured when he was thrown from his feet due to the tension placed on the fire hose becoming stuck in the rear axle of the bus.

Greenawald suffered permanent injuries to his right arm, wrist and hand for which there is currently a medical lien in the amount of \$58,018.15. Greenawald filed suit against the Authority in the Court of Common Pleas of Allegheny County at case number GD-05-027006, to recover damages for his injuries (Litigation).

The monetary damage exposure for the Authority per the statutory limit under the Pennsylvania Sovereign Immunity Act is \$250,000. The parties have reached an amicable agreement to fully and finally settle Litigation in the amount of \$110,000, subject to approval by the Authority's Board of Directors in accordance with the Board-adopted Limits of Authority Policy.

This resolution authorizes payment of this settlement amount not-to-exceed \$110,000, and in a form otherwise approved by counsel, to fully and finally settle Litigation.

9/23/11  
J. Letwin

## RESOLUTION

**WHEREAS**, an accident involving a Port Authority of Allegheny County (Authority) bus occurred on or about October 23, 2003 at approximately 1:58 p.m., at or near the intersection of East Smithfield Street and Ludwig Street in Elizabeth Township, Allegheny County, Pennsylvania; and

**WHEREAS**, the Authority bus that was involved in the accident attempted to drive past an automobile that was on fire when a fire hose being used to put out the automotive fire got caught in the rear axle of the bus; and

**WHEREAS**, Mr. Henry Greenawald (Greenawald), a volunteer firefighter for the Central Volunteer Fire Company who was handling the hose at the time of the incident, was injured when he was thrown from his feet due to the tension placed on the fire hose becoming stuck in the rear axle of the bus; and

**WHEREAS**, Greenawald suffered permanent injuries to his right arm, wrist and hand as a result of the accident; and

**WHEREAS**, Greenawald filed suit against the Authority to recover damages for these injuries in the Court of Common Pleas of Allegheny County at case number GD-05-027006 (Litigation); and

**WHEREAS**, the Authority and Greenawald have negotiated an agreement to fully and finally settle Litigation for the settlement amount of \$110,000, subject to review and approval by the Authority's Board in accordance with the Board-adopted Limits of Authority Policy; and

**WHEREAS**, upon due consideration, the Board concurs with the recommendation of the Authority's assistant general manager Legal and Corporate Services to settle Litigation.

**NOW, THEREFORE, BE IT RESOLVED**, that the chief executive officer and/or assistant general manager Legal and Corporate Services be, and they hereby are, authorized to enter into an agreement with Greenawald to fully and finally settle Litigation, in a form approved by counsel, for a settlement amount not-to-exceed \$110,000 and also to take all such other actions necessary and proper to carry out the purpose and intent of this resolution.