



King County
Office of Risk Management Services
Department of Executive Services
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TTY Relay: 711

November 5, 2024

The Honorable Dave Upthegrove, Chair
King County Council
516 Third Ave, Room 1200
C O U R T H O U S E

RE: Quarterly Report of Closed Claims with Indemnity Payments of \$100,000 or More

Dear Councilmember Upthegrove:

I am pleased to transmit the quarterly report for the third quarter of 2024 summarizing claims that closed with an indemnity payment in the amount of \$100,000 or more. This report is transmitted pursuant to Ordinance 16913 adopted on August 27, 2010, which established a quarterly reporting requirement for the King County Risk Manager. This report describes the five claims that resolved from July 1, 2024 through September 30, 2024 with an indemnity payment of \$100,000 or more.

Claimant: Estate of Sabrina Grimes
Date of Loss: 02/22/2019
Closure Date: 08/05/2024

Indemnity Payment: \$750,000
Closure Method: Settlement

On February 22, 2019, King County employee Sabrina Grimes disembarked a Metro bus at a designated bus stop. She attempted to cross SR 169 to get to her home and was struck by two vehicles and killed. Her two adult children filed suit against the driver of the vehicle that initially struck Grimes, along with King County and Washington State Department of Transportation (WSDOT). The insurer for the driver of the vehicle settled for their policy limits early on. The estate claimed that King County was negligent by placing a bus stop in a dangerous area, and that King County should have known that disembarking passengers would cross a busy highway. The County filed a motion for summary judgment arguing that plaintiff had not shown any admissible evidence that King County breached a duty; however, the motion was denied. This matter settled after mediation for \$750,000.

Claimant: Trombetta, Monique

Date of Loss: 06/01/2019

Closure Date: 07/18/2024

Indemnity Payment: \$750,000

Closure Method: Settlement

Claimant Monique Trombetta was a section manager in Metro Bus Operations. She alleged disparate treatment due to her race and age between 2019 and 2021. Two investigations were done on behalf of Metro Equal Employment Opportunity Office by independent investigations. The matter resolved through direct negotiations for \$750,000.

Claimant: Seymour, Levather

Date of Loss: 04/28/2020

Closure Date: 08/20/2024

Indemnity Payment: \$200,000

Closure Method: Settlement

Claimant Levather Seymour sued King County for injuries she received on April 28, 2020, while she was a passenger on a King County Metro bus. During that time, COVID protocols mandated that passengers boarded through the rear doors. Ms. Seymour boarded without needing assistance and wasn't using a cane or any mobility aid. Upon boarding, Ms. Seymour turned left toward the rear of the bus and started up the steps. She placed her backpack on the first seat but did not sit down. Instead, she continued to move toward the back of the bus. The driver began to pull away from the curb and Ms. Seymour fell. Ms. Seymour had been on the bus for 11 seconds before the bus started to pull away from the curb. She sought care immediately after the incident, complaining of pain to her lower back and right knee, and she later alleged a shoulder injury. This matter was settled at mediation for \$200,000.

Claimant: Dzik, Neal

Date of Loss: 04/07/2022

Closure Date: 09/18/2024

Indemnity Payment: \$250,000

Closure Method: Settlement

On April 7, 2022, 66-year-old plaintiff Neal Dzik was waiting for a Metro coach at a closed bus zone. The zone had been closed because of construction by Jansen, Inc. on behalf of the City of Seattle for the Madison Bus Rapid Transit Project and all parties agreed to maintain existing bus routes during the project. The operator passed the zone that had signage posted noting the closure, however plaintiff had utilized an app called One Bus Away that did not have current zone closures listed. The coach passed the zone but stopped approximately one block away for a red light. Plaintiff jogged after the bus, and as he reached the rear door, intending to tap on it, the coach began to move because the light had turned green. At the moment that plaintiff leaned toward the bus, he fell into a ditch, lost his balance, and fell into the path of the rear wheels. Part of Jansen's work consisted of removing vegetation and pouring a new curb, and the ditch where plaintiff fell had not been backfilled or replaced with vegetation at the time of the accident. Plaintiff sustained multiple fractures and incurred over \$900,000 in medical treatment. City of Seattle and King County tendered the claim to Jansen. Although Jansen denied the County's tender, their insurance company paid \$8,350,000 to settle the case. King County paid \$250,000.

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Claimant: W, A

Date of Loss: 08/18/2023

Closure Date: 07/17/2024

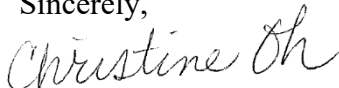
Indemnity Payment: \$1,000,000

Closure Method: Settlement

Claimant was a high-level employee of the Executive's office and the manager of an Executive Branch agency. An outside law firm investigated complaints by some of Claimant's employees about Claimant's management style and the culture of her agency. Although the investigator found no violation of county policies or state or federal laws, they found the employees credible and noted potential improvements to Claimant's management style. The Executive's office determined that Claimant could not return to her management role. Claimant alleged that the handling of the complaints and the aftermath of the investigation harmed her reputation and constituted discrimination and constructive discharge. The case was settled through direct negotiation for \$1,000,000.

I would be happy to answer any questions or provide a briefing for the Council on these claims at your convenience.

Sincerely,



Christine Oh

Director, Office of Risk Management Services

cc: King County Councilmembers

ATTN: Stephanie Cirkovich., Chief of Staff, King County Council

Melani Hay, Clerk of the Council

Karan Gill, Chief of Staff, Office of the Executive

Penny Lipsou, Director, Council Relations, Office of the Executive

Dwight Dively, Director, Office of Performance, Strategy and Budget

Lorraine Patterson-Harris, County Administrative Officer, Department of Executive Services (DES)

Kimberly Frederick, Chief Civil Deputy, Prosecuting Attorney's Office (PAO)

Jessica Kozma, Litigation Section Head, PAO

Kymber Waltnunson, King County Auditor