

MEMORANDUM

TO: Dustin Anderson

FROM: Carolyn Thiess Brennan

RE: Terry and Maureen Shell v. Kimberly Nordhoff and Town of Munster

DATE: May 21, 2021

On June 1, 2016, Kimberly Nordhoff was operating a Town vehicle in heavy traffic on Calumet Avenue and rear-ended a vehicle operated by Plaintiff, Terry Shell.

Terry Shell filed a Complaint for negligence against the Town and Ms. Nordhoff, alleging that he sustained personal injuries and other damages. Terry Shell's wife, Maureen (who was a passenger in the car and uninjured), asserted a derivative claim for loss of consortium (loss of spousal services, support, etc.)

Immediately following the collision, Terry Shell was hospitalized for seven days. Terry then underwent almost two years of medical treatment and incurred approximately \$150,000.00 in medical bills. Our position is that the need for this treatment was largely fabricated and was motivated by litigation.

On November 3, 2020, the parties participated in mediation. Terry and Maureen Shell demanded \$350,000.00, which the Town rejected. Through subsequent negotiations, the Shells agreed to a \$300,000.00 reduction off their previous demand for a final settlement of \$50,000.00.

The written Release and Settlement Agreement agreeing to dismiss the lawsuit and release the Town and Ms. Nordhoff from any further liability in exchange for payment of \$50,000.00 is before the Council for approval.