



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of Administrative Services

TANI PACK DOWNING
Executive Director

Division of Risk Management
BRIAN NELSON, *Director*

SETTLEMENT AUTHORITY MEMORANDUM

Date: September 10, 2018
To: Tani Pack Downing, Executive Director, Department of Administrative Services
Gary R. Herbert, Governor
Legislative Management Committee
From: Brian Nelson, State Risk Manager
Re: Kjung Ja Kim vs. Department of Corrections
Claim No.: 102282-007
Loss Date: July 2, 2018

Authority Requested: \$745,200.00 (applicable Governmental Immunity Limits)

Fact Summary: This claim, which occurred at approximately 9:45AM, on Monday, July 2, 2018, arose out of a three-car crash on SR-89A, approximately 425 feet north of the Utah-Arizona border. Corrections employee, Karen Liston, was driving a state-owned vehicle that crossed the roadway center-line and collided with two vehicles traveling in the opposite direction. Our assigned adjuster, Jim Sefandonakis, retained Jon Bready, Senior Mechanical Engineer for Collision Safety Engineering, to reconstruct the accident and report his findings on liability. Mr. Bready concluded that Ms. Liston crossed over the center-line consistent with a driver who was distracted, inattentive, or asleep. Mr. Bready further concluded that the oncoming drivers acted appropriately and did not contribute to the loss. His findings were consistent with the UHP traffic accident investigation. All three vehicles were damaged beyond repair.

Injuries: Mrs. Kim, (76 years old) was a restrained passenger in the back seat of a 2018 Chevrolet Equinox in this head-on collision. She was visiting the US from Korea. Following the crash, Mrs. Kim was transported by Life Flight to Dixie Regional Medical Center in St. George. To date her medical bills are over \$667,317.55. Mrs. Kim's injuries in this multiple trauma accident have resulted in quadriplegia. She is currently hospitalized, on a breathing respirator, and waiting to return home to Korea. She will need to be transported back to Korea by Air Med, with an estimated future cost of \$300,000.

Damages Summary:

Classic Air Medical:	\$39,647.50
Dixie Regional Medical Center:	\$623,552.05
Utah Surgical Associates:	Pending
St. George Radiology:	\$4,118.00
Total:	\$667,317.55