
LIABILITY - ARIZONA

City of Mesa v. Ryan in and for County of Maricopa

Supreme Court of Arizona - October 17, 2024 - P.3d - 2024 WL 4509603

Bicyclist, who was struck by city police officer while driving patrol car during multi-vehicle accident, brought personal-injury action against officer and city.

The Superior Court denied defendants' motion to dismiss for deficient notice of claim. Defendants filed petition for special action review, which was accepted. The Court of Appeals reversed and remanded with directions. Review was granted.

The Supreme Court held that bicyclist's offer to settle claims for the greater of $1 million or applicable insurance policy limits did not constitute "specific amount," for purposes of notice-o--claim statute's requirement that notice of claim contain specific amount for which claim could be settled.

Bicyclist's offer to settle personal-injury claims that were asserted against city and city police officer and that arose from multi-vehicle accident that occurred when officer was driving patrol car, which struck bicyclist, for the greater of $1 million or applicable insurance policy limits did not constitute "specific amount," for purposes of notice-of-claim statute's requirement that notice of claim contain specific amount for which claim could be settled; city's risk management claims analyst was unable to determine from notice of claim whether bicyclist was willing to settle for city's self-insured retention limit of $3 million, automobile-liability policy's $1 million limit, or excess-carrier policy's limit of $10 million to $50 million.

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