

00- R-1067

(Do Not Write Above This Line)

A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASES OF ANTHONY R. LEWIS V. CITY OF ATLANTA, et al U.S.D.C., CIVIL ACTION FILE NO. 1:98-CV-3627-JOF and Q.T. MOODY v. CITY OF ATLANTA, et al U.S.D.C., CIVIL ACTION FILE NO. 1:99-CV-1902-HTW, FOR \$225,000; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 17 2000

APPROVED BY:

COUNCIL

Rosalind Rubens Newell
Deputy City Attorney

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

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Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair C. T. Marks
Referred to _____

Committee <u>P. S. F. R. H.</u>	Committee
Date <u>7/17/00</u>	Date
Chair <u>C. T. Marks</u>	Chair
Action: <u>Fav, Adv, Hold (see rev. side)</u>	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
Members <u>[Signature]</u>	Members _____
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Committee	Committee
Date	Date
Chair	Chair
Action: <u>Fav, Adv, Hold (see rev. side)</u>	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
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FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
JUL 17 2000

CERTIFIED
JUL 17 2000

Rosalind Rubens Newell
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 26 2000

WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

00-*R*-1067

**A RESOLUTION
BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASES OF ANTHONY R. LEWIS v. CITY OF ATLANTA, et al U.S.D.C., CIVIL ACTION FILE NO. 1:98-CV-3627-JOF and Q.T. MOODY v. CITY OF ATLANTA, et al U.S.D.C., CIVIL ACTION FILE NO. 1:99-cv-1902-HTW, FOR \$225,000; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Anthony R. Lewis v. City of Atlanta, Thomas Pocock, Eugene Pitts, Reginald Ball, Sylvia Randall and John Does, pending in the United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:98-cv-3627-JOF, arises from an arrest and subsequent detention of the Plaintiff at the City of Atlanta Pretrial Detention Center on or about November 21, 1995; and

WHEREAS, Anthony Lewis alleges he was the victim of excessive force during the course of said detention, which resulted in the violation of his constitutional rights; and

WHEREAS, Q.T. Moody v. City of Atlanta Thomas Pocock, Reginald Ball, Charles Dozier, Michael Holmes, Howard Jarrett, Troy Simms, William Daniel, and John Does, pending in the United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:99-cv-1902-HTW, arises from an arrest and subsequent detention at the City of Atlanta Pretrial Detention Center on or about August 21, 1997; and

WHEREAS, Q. T. Moody alleges he was the victim of excessive force during the course of said detention, which resulted in the violation of his constitutional rights; and

WHEREAS, the Plaintiffs and their counsel have agreed to accept \$225,000 in settlement of all claims against the City of Atlanta and its officers and employees; and

WHEREAS, the City Attorney has done an extensive review of the facts and law and has determined that the City's potential financial exposure is far in excess of the settlement amount; and



WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$225,000 to settle all claims,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the cases of Anthony R. Lewis v. City of Atlanta, Thomas Pocock, Eugene Pitts, Reginald Ball, Sylvia Randall and John Does, USDC Civil Action No. 1:98-cv-3627-JOF and Q.T. Moody v. City of Atlanta Thomas Pocock, Reginald Ball, Charles Dozier, Michael Holmes, Howard Jarrett, Troy Simms, William Daniel, and John Does, USDC Civil Action File No. 1:99-cv-1902-HTW, for the aggregate sum of Two Hundred Twenty Five Thousand Dollars (\$225,000.00).

SECTION 2. The Chief Financial Officer is authorized to pay a total sum of \$225,000 to Anthony R. Lewis, Q.T. Moody, and their attorney, A. Thomas Stubbs, from Fund Account Center No. 1A101-529017-T31001.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JULY 17, 2000

JULY 26, 2000