

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

01-R-0082

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST OFFICER JOHN K. BROWN IN THE CASE OF *WINTON V. BROWN, ET AL.*, STATE COURT OF FULTON COUNTY, GEORGIA, CIVIL ACTION FILE NO. 99VS151054-D, FOR THE AMOUNT OF \$2,000.00.

WHEREAS, *Winton V. Brown, et al*, Fulton County State Court, Civil Action File No. 99VS151054-D, is a case in which the Plaintiff, John Howard Winton, has brought suit claiming malicious prosecution and seeking damages he allegedly incurred as a result of his arrest and detention by a City of Atlanta Police Officer; and

WHEREAS, the Plaintiff claims that, as a result of the arrest and detention, he suffered personal injury in the form of physical restraint and abuse and emotional distress; and

WHEREAS, following a jury trial, the Plaintiff was acquitted of the charges filed against him; and

WHEREAS, the Plaintiff has also requested punitive damages as a result of the above-described incident; and

WHEREAS, the Plaintiff has entered into an agreement with all of the defendants to settle the litigation for the total amount of Thirty-five thousand dollars (\$35,000), including all costs and attorney's fees; and

WHEREAS, of the total amount of Thirty-five thousand dollars (\$35,000), Plaintiff has agreed to settle all claims against Officer Brown for the amount of Two thousand dollars (\$2,000), including all costs and attorney's fees; and

WHEREAS, the City Attorney recommends this settlement because it is in the best interest of the City and Officer Brown.

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

SECTION ONE: That the City Attorney is hereby authorized to conclude the settlement of all claims of John Howard Winton against Officer John K. Brown set forth in Civil Action File No. 99 vs 151054-D in the State Court of Fulton County, State of Georgia, for the amount of Two Thousand Dollars (\$2,000.00).

SECTION TWO: That the Chief Financial Officer is authorized to pay to Attorney Wayne Grant and John Howard Winton, the sum of Two Thousand Dollars (\$2,000.00) which shall be paid from Account Number 1A101 529017 T31001.

A true copy,

Phonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council

RETURNED WITHOUT SIGNATURE OF THE MAYOR

APPROVED as per City Charter Section 2-403

JAN 16, 2001

JAN 25, 2001

RCS# 2564
1/16/01
4:26 PM

Atlanta City Council

Regular Session

MULTIPLE Items 1-8; 2106; 2107; 0004; 0005; 0006
 0053; 0054; 0082
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

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(Do Not Write Above This Line)

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APPROVED:

Rosalind Rubens Newell ROSALIND RUBENS NEWELL DEPUTY CITY ATTORNEY

ADOPTED BY

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

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred to

Committee Date Chair Action: Fav, Adv, Hold (see rev. side) Other: Members Refer To

Committee Date Chair Action: Fav, Adv, Hold (see rev. side) Other: Members Refer To

FINAL COUNCIL ACTION
2nd 1st & 2nd 3rd
Consent V Vote RC Vote

CERTIFIED

CERTIFIED
JAN 16 2001

CERTIFIED
JAN 16 2001

Rosalind Rubens Newell MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 24 2001

WITHOUT SIGNATURE BY OPERATION OF LAW