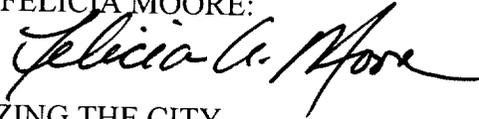


CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION BY COUNCILMEMBER FELICIA MOORE:



A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE THE CASE OF *CHARLES L. HENRY, III* v. *THE CITY OF ATLANTA*, CIVIL ACTION NO.1:00-CV-1002-CAP, IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, AND FOR OTHER PURPOSES

02-R -0450

WHEREAS, Charles L. Henry, III, a long-time employee of the City of Atlanta, filed suit against the City in the spring of the year 2000, alleging that his constitutional and statutory rights had been violated in 1999, when he was transferred from the Bureau of Purchasing to the Bureau of Personnel Administration; and

WHEREAS, Mr. Henry alleges that the transfer was in retaliation for his being a “whistleblower” on waste, fraud and corruption in City purchasing functions; and

WHEREAS, Mr. Henry is willing to settle his case against the City without the payment of damages, attorney fees, or costs, in exchange for his being transferred back to the Bureau of Purchasing into the job of Contracting Officer, at Level 19, Step 10; and

WHEREAS, in the opinion of the City Attorney the proposed settlement is in the best interests of the City:

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

Section 1: THAT the City Attorney is hereby authorized on behalf of the City of Atlanta to settle the case of *Charles L. Henry, III, v. the City of Atlanta*, Civil Action No.1:00-cv-1002-CAP, in the United States District Court for the Northern District of Georgia, by entering into a Settlement Agreement with the opposite party and his counsel, under the terms of



which Settlement Agreement Charles L. Henry, III, will be transferred from his present job in the Bureau of Personnel Administration to the job of Contracting Officer in the Bureau of Purchasing and Real Estate, at Grade Level 19, Step 10.

Section 2: THAT the Settlement Agreement shall provide that in exchange for the transfer provided in Section 1 above, Mr. Henry and his attorneys waive all claims to damages, attorney fees, and costs in the court action, and that Mr. Henry releases the City and its employees and officers from any claims which were, or which could have been, raised in his complaint in the court action, whether originally, by amendment, or by supplementation, as to facts occurring up to and including the date of the execution of the Settlement Agreement.

Section 3: THAT the Settlement Agreement shall provide that the settlement herein authorized shall not be deemed an admission of liability or wrongdoing on the part of the City of Atlanta or of any of its officers or employees.

Section 4: THAT the City Attorney is further authorized on behalf of the City of Atlanta to consent to a final order in the United States District Court implementing the settlement agreement and making it the order of the Court.

Henry Settlement Resolution 03-04-02.1

A true copy,  
*Thonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

MAR 04, 2002  
MAR 12, 2002



02-R-0450

(Do Not Write Above This Line)

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Approved By:

Rosalind Rubens Newell Interim City Attorney

ADOPTED BY

MAR 04 2002

COUNCIL

- 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

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
MAR 04 2002

ATLANTA CITY COUNCIL PRESIDENT

Catherine M. Woodard

CERTIFIED
MAR 04 2002

MAYOR'S ACTION

Shirley Franklin
MAR 7 2002