

A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST CITY OF ATLANTA AND ANY AND ALL OF ITS PRESENT AND FORMER OFFICERS AND EMPLOYEES IN THE CASE OF *JOHNNY CLOUD v CITY OF ATLANTA et al*, CIVIL ACTION FILE NO. 1:97-CV-0190-JEC IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, FOR THE SUM OF \$50,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM ACCOUNT NO. 1A01 (GENERAL FUND) – 529017 (PROPERTY LIQUIDATION) - T31001 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE PAYMENT AMOUNT; AND FOR OTHER PURPOSES.

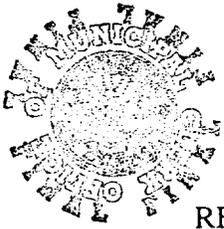
WHEREAS, in CIVIL ACTION FILE No. 1:97-Cv-0190-JEC in the United States District Court for The Northern District Of Georgia, Johnny Cloud filed suit against the City of Atlanta, the Chief of Police and several police officers, contending that the police officers had engaged in a conspiracy to deprive him of his civil rights, by planting evidence on him of illegal drug possession and sale, and by engaging in a false arrest; and that the Chief of Police and other high-ranking officers had known of the actions of the officers in other cases and had allowed their misconduct; and

WHEREAS, the Chief of Police, other high-ranking officers, and the City of Atlanta have been dismissed from the action by the Court, subject to Mr.Cloud's right to appeal and the case remains pending against several former police officers; and

WHEREAS, the Plaintiff Johnny Cloud has offered to settle his claims against the City of Atlanta and all its present and former officers and employees for the sum of \$50,000, including attorney fees and costs; and

WHEREAS, there is some risk that the United States Court of Appeals may reinstate the case against the City of Atlanta and others if the case is not settled; and

WHEREAS, in the opinion of the City Attorney the proposed settlement of all claims against all Defendants for the sum of \$50,000.00 is appropriate and is in the best interest of the City, now therefore:



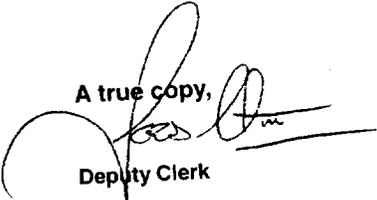
THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
RESOLVES:

Section 1: THAT the City Attorney is hereby authorized on behalf of the City of Atlanta to settle the claims of Johnny Cloud against the City of Atlanta and various of its present and former officers and employees as set forth in the case of *JOHNNY CLOUD V. CITY OF ATLANTA et al.*, in CIVIL ACTION FILE NO. 1:97-Cv-0190-JEC in the United States District Court for The Northern District Of Georgia by paying Fifty Thousand Dollars (\$ 50,000.00) in full settlement of all claims of the Plaintiff against the City of Atlanta, its officers and employees, arising out the incident or incidents which were the subject matter of the litigation.

Section 2: THAT in furtherance of said settlement the Chief Financial Officer is authorized to issue the City's check in the sum of Fifty Thousand Dollars (\$ 50,000.00), payable to J.M. Raffauf, Esq., as attorney for Plaintiff Johnny Cloud, and to charge such amount to Account No. 1A01 (General Fund) – 529017 (Property Liquidation) - T31001 (Non-Departmental).

Section 3: THAT the City Attorney is authorized to enter into and execute on behalf of the City of Atlanta any and all documents, agreements and pleadings necessary to effectuate the settlement as authorized herein.

A true copy,


Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

JUL 05, 2005
JUL 12, 2005

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

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

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

CONSENT I

05-R-1212
(Do Not Write Above This Line)

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA AND ANY AND ALL OF ITS PRESENT AND FORMER OFFICERS AND EMPLOYEES IN THE CASE OF *JOHNNY CLOUD V CITY OF ATLANTA et al*, CIVIL ACTION FILE NO. 1:97-CV-0190-JEC IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, FOR THE SUM OF \$50,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM ACCOUNT NO. 1A01 (GENERAL FUND)-529017 (PROPERTY LIQUIDATION)-131001 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE PAYMENT AMOUNT; AND FOR OTHER PURPOSES.

ADOPTED BY

APPROVED BY: *[Signature]* JUL 05 2005
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

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

COUNCIL

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date

6/30/05
[Signature]

Action

(Fav) Adv, Hold (see rev. side)

Other

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signatures]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

2nd
 1st & 2nd
 3rd
 Consent
 V Vote
 HC Vote

CERTIFIED

JUL 05 2005

CERTIFIED
JUL 05 2005
[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]

7/05/05

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1198 2. 05-O-1071 3. 05-O-1050 4. 05-O-1051 5. 05-O-1206 6. 04-O-1364 7. 05-O-1058 8. 05-O-1059 9. 05-O-1083 10. 05-O-1092 11. 05-R-0113 12. 05-R-1213 13. 05-R-1007 14. 05-R-1046 15. 05-R-1048 16. 05-R-1088 17. 05-R-1137 18. 05-R-1138 19. 05-R-1139 20. 05-R-1141 21. 05-R-1196 22. 05-R-1239 23. 05-R-1136 24. 05-R-1124 25. 05-R-1125 26. 05-R-1130 27. 05-R-1193 28. 05-R-1197 29. 05-R-1212 30. 05-R-1237	31. 05-R-1142 32. 05-R-1143 33. 05-R-1144 34. 05-R-1145 35. 05-R-1146 36. 05-R-1147 37. 05-R-1148 38. 05-R-1149 39. 05-R-1150 40. 05-R-1151 41. 05-R-1152 42. 05-R-1238	43. 05-R-1153 44. 05-R-1154 45. 05-R-1155 46. 05-R-1156 47. 05-R-1157 48. 05-R-1158 49. 05-R-1159 50. 05-R-1160 51. 05-R-1161 52. 05-R-1162 53. 05-R-1163 54. 05-R-1164 55. 05-R-1165 56. 05-R-1166 57. 05-R-1167 58. 05-R-1168 59. 05-R-1169 60. 05-R-1170 61. 05-R-1171 62. 05-R-1172 63. 05-R-1173 64. 05-R-1174 65. 05-R-1175 66. 05-R-1176 67. 05-R-1177 68. 05-R-1178 69. 05-R-1179 70. 05-R-1180 71. 05-R-1181 72. 05-R-1182 73. 05-R-1183 74. 05-R-1184 75. 05-R-1185 76. 05-R-1186 77. 05-R-1187 78. 05-R-1188 79. 05-R-1189 80. 05-R-1190 81. 05-R-1191