

A RESOLUTION

05-~~A~~-0125

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF ANDREW SOLOMON V. CITY OF ATLANTA POLICE OFFICERS EUGENE R. JOHNSON, ANDREW DORSEY AND MICHAEL MOZGAWA, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, CIVIL ACTION FILE NO. 1:04-CV-0930, IN THE AMOUNT OF \$43,500.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND), ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31003 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT.

WHEREAS, *Andrew Solomon v. City of Atlanta Police Officers Johnson, Dorsey and Mozgawa*, et al. is Section 1983 case in which the Plaintiff, Andrew Solomon, sued the police officers for violation of his 4th, 5th and 14th Amendment rights, State torts, common law assault and battery;

Whereas, Plaintiff contends that during an arrest, one officer punched him in the face with his handcuffs and another officer slammed his head against the hood of the police car;

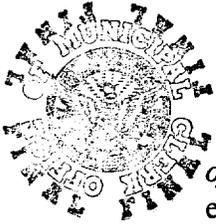
WHEREAS, Plaintiff suffered permanent injuries to his nose and face;

WHEREAS, Plaintiff pled guilty to two counts of disorderly conduct, one officer was disciplined and reprimanded by APD for violating a work rule;

WHEREAS, the Plaintiff has agreed to \$43,500.00 as full settlement of all claims; and

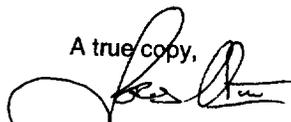
WHEREAS, the City Attorney has performed a review of the facts and the law and determined the settlement amount to be in the best interest of the City of Atlanta.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:



SECTION 1. The City of Atlanta is hereby authorized to settle the case of *Andrew Solomon v. City of Atlanta Police Officers Johnson, Dorsey and Mozgawa*, et al. in the amount of Forty Three Thousand Five Hundred Dollars (\$43,500.00).

SECTION 2. That the Chief Financial Officer is authorized to pay to Attorney Chris Jensen on behalf of Plaintiff Andrew Solomon, the sum of \$43,500.00, and to charge such sum to fund 1A01 (general fund), account 529017 (property liquidation) and center number T31003 (non-departmental); authorizing the chief financial officer to distribute the settlement amount to **Account No. 529017.**

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

February 7, 2005
February 14, 2005

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 (Do Not Write Above This Line)

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A. RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF ANDREW SOLOMON V. THE CITY OF ATLANTA POLICE OFFICERS EUGENE R. JOHNSON, ANDREW DORSEY AND MICHAEL MOZGAWA, ET AL, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, CIVIL ACTION FILE NO. 1:04-CV-0930, IN THE AMOUNT OF \$43,500.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND), ACCOUNT NUMBER 131003 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT.

Jerry L. Deloach
 JERRY L. DELOACH
 DEPUTY CITY ATTORNEY

- 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:

ADOPTED BY

FEB 07 2005

COUNCIL

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PLA Committee

2/1/05 Date

[Signature] Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signatures]

[Signature]

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

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
 - RC Vote

CERTIFIED

FEB 07 2005

CERTIFIED
 FEB 07 2005
 [Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]