

A RESOLUTION

08-R-_____

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF GWEN WILLIAMS AND DONST V. WILLIAMS V. CITY OF ATLANTA; POPE & LAND ENTERPRISES, INC.; HYATT CORPORATION, AND JOHN DOE, STATE COURT, FULTON COUNTY, CIVIL ACTION FILE NO. 2006EV001087, IN THE AMOUNT OF \$2,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND), ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31001 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS *Gwen Williams and Donst V. Williams v. City of Atlanta, Pope & Land Enterprises, Inc., Hyatt Corporation, and John Doe* is a case in which the Plaintiffs sued for monetary damages they allegedly incurred as a result of injuries sustained during a slip and fall on a sidewalk that Plaintiffs alleged was defective and not fit for ordinary use or travel;

WHEREAS, Plaintiff Gwen Williams alleges that she suffered personal injuries as a result of the slip and fall on a City sidewalk;

WHEREAS, Plaintiff Donst Williams claims to have suffered the loss of consortium of his spouse, Gwen Williams, due to her personal injuries;

WHEREAS, Plaintiffs have agreed to accept \$2,000.00, in full settlement of all claims against the City of Atlanta including interest and attorney's fees; and

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

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$2,000.00 to settle all claims against the City of Atlanta.

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

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *Gwen Williams and Donst V. Williams v. City of Atlanta, Pope & Land Enterprises, Inc., Hyatt Corporation, and John Doe* in the amount of Two Thousand Dollars (\$2,000.00).

SECTION 2. Said payment is to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-departmental). Payment shall be in the form of a check in the amount of \$2,000.00 payable to Michael T. Bennett, P.C. and Gwen and Donst Williams. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.