

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 JOANNE MASANOTTI, INDIVIDUALLY AND ON BEHALF OF HER SIBLINGS, AND AS ADMINISTRATOR OF THE ESTATE OF JOHN LAMB V. CITY OF ATLANTA, SUPERIOR COURT, FULTON COUNTY, CIVIL ACTION FILE NO. 2006CV115890, IN THE AMOUNT OF \$210,000.00; 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 *Joanne Masanotti, Individually and on Behalf of Her Siblings, and as Administrator of the Estate of John Lamb v. City of Atlanta, et al.*, is a case in which the Plaintiff sued for monetary damages associated with the injuries and subsequent death of her brother John Lamb;

WHEREAS, Plaintiff alleges that John Lamb's estate suffered damages as a result of the City's failure to ensure that its sidewalks remained unobstructed and fit for ordinary and reasonable travel;

WHEREAS, there are multiple defendants in this civil action;

WHEREAS, Plaintiff has agreed to accept \$210,000.00, 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 \$210,000.00 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 *Joanne Masanotti, Individually and on Behalf of Her Siblings, and as Administrator of the Estate of John Lamb v. City of Atlanta, et al.* in the amount of Two Hundred and Ten Thousand Dollars (\$210,000.00).

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 \$210,000.00 payable to Joanne Masanotti and Finch McCranie, LLP. 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.