

A RESOLUTION

09-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 MATTIE PEOPLES V. THE CITY OF ATLANTA; THE CITY COUNCIL OF THE CITY OF ATLANTA; SHIRLEY FRANKLIN, MAYOR OF THE CITY OF ATLANTA, CIVIL ACTION FILE NO. 2006CV122878, IN THE AMOUNT OF \$10,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 5212005 (LITIGATION EXPENSE) CENTER NUMBER 200101 (NON-DEPARTMENTAL); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS *Mattie Peoples v. The City of Atlanta; The City Council of the City of Atlanta; Shirley Franklin, Mayor of the City of Atlanta*, is a case in which the Plaintiff sued for compensatory damages in the amount of \$100,000.00 and damages for pain and suffering in the amount of \$50,000.00 incurred as a result of injuries sustained on the sidewalk located at 164 West Wieuca Road, Atlanta, Georgia;

WHEREAS, Plaintiff has agreed to accept \$10,000.00, 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 Plaintiff's 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 \$10,000.00 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 *Mattie Peoples v. The City of Atlanta; The City Council of the City of Atlanta; Shirley Franklin, Mayor of the City of Atlanta*, in the amount of Ten Thousand Dollars (\$10,000.00).

SECTION 2. Said payment is to be charged to and paid from Fund 1001 (General Fund), Account 5212005 (Litigation Expense) and Center Number 200101 (Non-departmental). Payment shall be in the form of a check in the amount of \$10,000.00 payable to J. L. Jordan Law Office and Mattie Peoples. 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.