

10- R -1396

(Do Not Write Above This Line)

A RESOLUTION

10-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 D.A. CHARLETTA OLIVER, AS NATURAL PARENT AND LEGAL GUARDIAN FOR D.A. V. OFFICER J. CURRIE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009CV173521, SUPERIOR COURT OF FULTON COUNTY, IN THE AMOUNT OF \$35,000.00; TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) AND CENTER NUMBER 5212005 (NON-DEPARTMENTAL) AND 1512000 (FUNCTIONAL ACTIVITY NUMBER); AND AUTHORIZING PAYMENT OF \$35,000.00 TO CHARLETTA OLIVER; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

[Signature]

Jerry L. DeLoach, Deputy City Attorney

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

ADOPTED BY

Date Referred

Referred To:

AUG 16 2010

Date Referred

COUNCIL

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA Committee
 7/27/10 Date
[Signature] Chair
 Action
 Fav, Adv, Hold (see rev. side)
 Other
 6400 Members
 1 Absent
[Signature]
[Signature]
[Signature]
 Refer To
[Signature]

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 _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
 AUG 16 2010
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 AUG 16 2010
 Florida Daughin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 AUG 24 2010
[Signature]
 MAYOR



A RESOLUTION

10-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 D.A., CHARLETTA OLIVER, AS NATURAL PARENT AND LEGAL GUARDIAN FOR D.A. V. OFFICER J. CURRIE, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF THE CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009CV173521, SUPERIOR COURT OF FULTON COUNTY, IN THE AMOUNT OF \$35,000.00; TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) AND CENTER NUMBER 5212005 (NON-DEPARTMENTAL) AND 1512000 (FUNCTIONAL ACTIVITY NUMBER); AND AUTHORIZING PAYMENT OF \$35,000.00 TO CHARLETTA OLIVER; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *D.A., Charletta Oliver, as Natural Parent and Legal Guardian for D.A. v. Officer J. Currie, individually and his official capacity as an employee of The City of Atlanta* is a case in which the Plaintiff, D.A., Charletta Oliver, as Natural Parent and Legal Guardian for D.A., sought remedy and redress for alleged assault and battery, false imprisonment, malicious prosecution and arrest, and false arrest by APD officer Jimmie Currie arising out of an incident on December 12, 2008 at Forest Hill Academy; and

WHEREAS, Plaintiff has agreed to accept \$35,000.00 in full settlement of all claims against the City of Atlanta and the police officer, including interest and attorney's fees; and

WHEREAS, the \$35,000.00 settlement is payable to her attorney, Michael O. Mondy; and

WHEREAS, the City Attorney has done an 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;

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$35,000.000 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 *D.A., Charletta Oliver, as Natural Parent and Legal Guardian for D.A. v. Officer J. Currie, individually and his official capacity as an employee of The City of Atlanta*, pending in the Superior Court of Fulton County, in the amount of Thirty-Five Thousand Dollars and no cents (\$35,000.00).



SECTION 2. The Chief Financial Officer is authorized to make payments from **fund 1001 (General Fund), Account 200101 (Litigation Expenses) and Center Number 5212005 (Non-departmental) and 1512000 (Functional Activity Number).** Payment shall be in the form of a check in the amount of \$35,000.00 payable to Michael O. Mondy, P.C., and Charletta Oliver. 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.

CGW

A true copy,

Rhonda Daughia Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

AUG 16, 2010
AUG 24, 2010

RCS# 505
8/16/10
3:59 PM

Atlanta City Council

REGULAR SESSION

10-R-1396

AUTH.SETTLEMENT OF CLAIMS AGAINST CITY
FOR OFFICER J CURRIE
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	B Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

10-R-1396

ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	08-16-10
1. 10-O-1422 2. 10-O-0603 3. 10-O-1279 4. 10-O-1345 5. 10-O-1421 6. 10-O-1276 7. 10-O-1417 8. 10-O-1272 9. 10-R-1368 10. 10-R-1369 11. 10-R-1370 12. 10-R-1372 13. 10-R-1409 14. 10-R-1411 15. 10-R-1412 16. 10-R-1413 17. 10-R-1414 18. 10-R-1415 19. 10-R-1423 20. 10-R-1424 21. 10-R-1425 22. 10-R-0727 23. 10-R-1394 24. 10-R-1401 25. 10-R-1402 26. 10-R-1403 27. 10-R-1404 28. 10-R-1405 29. 10-R-1406 30. 10-R-1426 31. 10-R-1427 32. 10-R-1375 33. 10-R-1376 34. 10-R-1377 35. 10-R-1378 36. 10-R-1379 37. 10-R-1380	38. 10-R-1381 39. 10-R-1382 40. 10-R-1383 41. 10-R-1384 42. 10-R-1385 43. 10-R-1386 44. 10-R-1387 45. 10-R-1388 46. 10-R-1389 47. 10-R-1390 48. 10-R-1391 49. 10-R-1392 50. 10-R-1393	