

11-R-1025

(Do Not Write Above This Line)

A RESOLUTION 11-R-

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY DEFENDANTS IN THE CASE OF WILFORD AND ERNESTINE REED V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:11-CV-00227-RLV-GGB, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$25,000.00; OF THIS AMOUNT, AUTHORIZING PAYMENT OF \$25,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), (ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES

Eric Richardson, Deputy City Attorney

ADOPTED BY

JUL 18 2011

COUNCIL

- 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:

First Reading

Committee
Date
Chair
Referred To

PSLA Committee
7/12/11 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

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
JUL 18 2011
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JUL 18 2011
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 27 2011

WITHOUT SIGNATURE BY OPERATION OF LAW



11- R -1025

A RESOLUTION

11-R-_____

**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE**

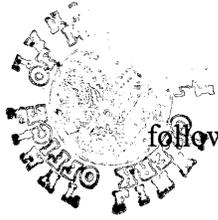
A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY DEFENDANTS IN THE CASE OF WILFORD AND ERNESTINE REED V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:11-CV-00227-RLV-GGB, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$25,000.00; OF THIS AMOUNT, AUTHORIZING PAYMENT OF \$25,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Wilford and Ernestine Reed v. City of Atlanta, et al.* is a case in which the Plaintiffs, Wilford Reed and Ernestine Reed, sued the City of Atlanta, Miles Butler, Yuanda Benjamin, Vicki Cartwright, and Tometkoa Ball (“City Defendants”), claiming they have violated their Fourth and Fifth Amendment Rights, negligently performed ministerial duties, and seeking attorney’s fees; and

WHEREAS, Plaintiffs Wilford and Ernestine Reed have agreed to accept \$25,000.00 in full settlement of all claims against the City Defendants inclusive of 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 Defendants’ potential financial exposure in defending Plaintiffs’ claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considered it to be in the best interest of the City Defendants to pay the amount of \$25,000.00 to settle all claims against the City Defendants.



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 *Wilford and Ernestine Reed v. City of Atlanta, et al.* in the amount of Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00).

SECTION 2. Said payment is to be charged, paid and issued as follows:

The Chief Financial Officer is authorized to make payment from **Fund 1001 (General Fund), Center Number 200101 (Non-Departmental), Account 5212005 (Litigation Expenses) and Functional Activity Number 1512000 (Accounting).** Payment shall be in the form of a check in the amount of \$25,000.00 payable to **Wilford and Ernestine Reed and Terry D. Jackson, P.C.** Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta, Miles Butler, Yuanda Benjamin, Vicki Cartwright, and Tometkoa Ball.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council July 18, 2011
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 July 27, 2011

RCS# 1281
7/18/11
3:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 8
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 7

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

CONSENT I