

**12-R-0886**  
 (Do Not Write Above This Line)

**A RESOLUTION**

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 WENDY LOCKETT V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009EY007775D, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$475,000.00) (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT NUMBER 5212005 (LITIGATION EXPENSES) AND 1512000 (FUNCTIONAL ACTIVITY NUMBER); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT AND FOR OTHER PURPOSES.

Eric Richardson, Deputy City Attorney

**FILED**  
**JUL 02 2012**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1<sup>ST</sup> ADOPT 2<sup>ND</sup> READ & REFER
- PERSONAL PAPER REFER

Date Referred \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Date Referred \_\_\_\_\_  
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First Reading  
 Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

PSLA Committee  
 Date 6/28/12  
 Chair [Signature]  
 Action [Signature]  
 Fav, Adv, Hold (See rev. side) [Signature]  
 Other [Signature]  
 Members [Signature]

Refer To \_\_\_\_\_

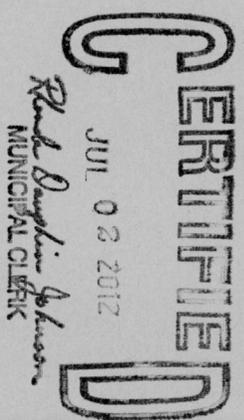
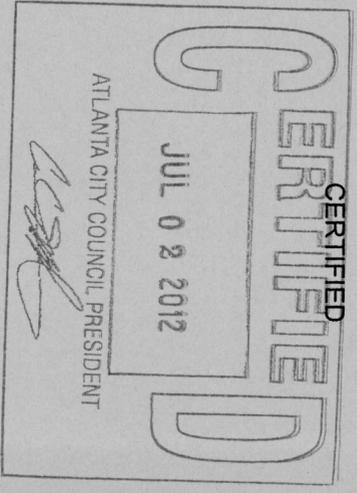
Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (See rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_

Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Action Fav, Adv, Hold (See rev. side) \_\_\_\_\_  
 Other \_\_\_\_\_  
 Members \_\_\_\_\_

Refer To \_\_\_\_\_

- FINAL COUNCIL ACTION Readings
- 2<sup>ND</sup>
  - 1<sup>ST</sup> & 2<sup>ND</sup>
  - 3<sup>RD</sup>
  - Consent
  - V Vote
  - RC Vote



MAYOR'S ACTION

RCS# 2128  
7/02/12  
2:19 PM

Atlanta City Council

12-R-0886

SETTLEMENT OF CLAIM;WENDY LOCKET  
CIVIL FILE 2009EV007775D  
FILE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

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

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**A RESOLUTION****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 WENDY LOCKETT v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009EV007775D, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$475,000.00) (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) AND 1512000 (FUNCTIONAL ACTIVITY NUMBER); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

**WHEREAS, WENDY LOCKETT v. CITY OF ATLANTA**, is a lawsuit in which Plaintiff sought to recover damages from the City of Atlanta for bodily injuries resulting from alleged negligent actions by officers of the Atlanta Police Department; and

**WHEREAS**, Plaintiff alleges that the Atlanta Police Department and its officer were negligent in the use of a police vehicle, and that this negligence caused Plaintiff's bodily injuries; and

**WHEREAS**, Plaintiff sought monetary damages for medical expenses, future medical care, pain and suffering, attorney's fees and costs of litigation; and

**WHEREAS**, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against the City, inclusive of interest, attorney's fees and costs of litigation; 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 Settlement Amount to settle all claims against the City.

**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 settlement documents in the case of **WENDY LOCKETT v. CITY OF ATLANTA**, Civil Action File No. 2009EV007775D, Fulton County State Court, for the Settlement Amount.

**SECTION 2.** The Chief Financial Officer is authorized to make payment from **Fund 1001 (General Fund), Center Number 200101 (Non-Departmental), Account 5212005 (Litigation Expenses) and 1512000 (Functional Activity Number)**. Payment shall be in the form of a **check in the amount of \$475,000.00 payable to Wendy Lockett and Morgan & Morgan, PLLC, 191 Peachtree Street NE, Suite 4200, Atlanta, GA 30303**. 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.

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