

12-2-1371

(Do Not Write Above This Line)

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF RICHARD KOE V CITY OF ATLANTA, ET AL, CIVIL ACTION FILE NO. 1-08-CV-2799-AHS, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, IN THE AMOUNT" \$250,000.00; (THE "SETTLEMENT AMOUNT") AUTHORIZING PAYMENT OF THE SETTLEMENT AMOUNT 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.

APPROVED BY



ADOPTED BY

ERIC A. RICHARDSON, DEPUTY CITY ATTORNEY

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

Date

10/9/12

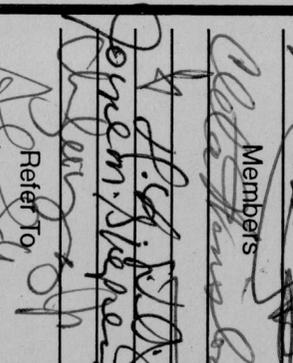
Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members



Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

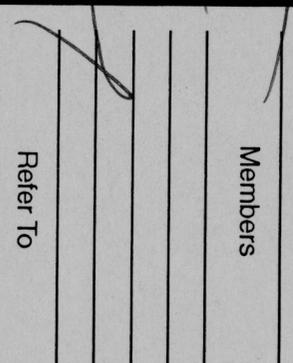
Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members



Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- ERC Vote

CERTIFIED

OCT 15 2012

COUNCIL PRESIDENT PROTREM

CERTIFIED

OCT 15 2012

Ronald D. Thompson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 9 4 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



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 RICHARD ROE V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:08-CV-2799-MHS, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, IN THE AMOUNT OF \$250,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING PAYMENT OF THE SETTLEMENT AMOUNT 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, *Richard Roe v. City of Atlanta, et al.* is a case in which Plaintiff has sought remedy and redress for alleged disability discrimination in connection with his application for employment with the City of Atlanta; and

WHEREAS, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against the City, 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's potential financial exposure in defending Plaintiff's claims is far 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 *Richard Roe v. City of Atlanta, et al.* 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 Functional Activity Number 1512000 (Accounting). Payment shall be in the form of a **check in the amount of \$250,000.00 made payable to The Koval Firm and Richard Roe.** Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former employees.

A true copy,

A handwritten signature in black ink, appearing to be "K. L. ...", written over a horizontal line.

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

October 15, 2012
October 24, 2012

RCS# 2350
10/15/12
2:17 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I
10/15/2012
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 2

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

CONSENT I

		10-15-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-1267	35. 12-R-1348	49. 12-R-1383
2. 12-O-1400	36. 12-R-1349	50. 12-R-1384
3. 12-O-1281	37. 12-R-1351	51. 12-R-1385
4. 12-O-1276	38. 12-R-1372	52. 12-R-1386
5. 12-O-1277	39. 12-R-1373	53. 12-R-1387
6. 12-O-1399	40. 12-R-1374	54. 12-R-1388
7. 12-R-0965	41. 12-R-1375	55. 12-R-1389
8. 12-R-1357	42. 12-R-1376	56. 12-R-1390
9. 12-R-1358	43. 12-R-1377	
10. 12-R-1359	44. 12-R-1378	
11. 12-R-1360	45. 12-R-1379	
12. 11-R-1361	46. 12-R-1380	
13. 12-R-1362	47. 12-R-1381	
14. 12-R-1363	48. 12-R-1382	
15. 12-R-1364		
16. 12-R-1365		
17. 12-R-1366		
18. 12-R-1367		
19. 12-R-1368		
20. 12-R-1254		
21. 12-R-1403		
22. 12-R-1338		
23. 12-R-1371		
24. 12-R-1406		
25. 12-R-1330		
26. 12-R-1332		
27. 12-R-1333		
28. 12-R-1334		
29. 12-R-1340		
30. 12-R-1341		
31. 12-R-1342		
32. 12-R-1343		
33. 12-R-1344		
34. 12-R-1345		