

13-*p*-0294

(Do Not Write Above This Line)

A RESOLUTION 13-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 BETTY FREEMAN, ET AL. V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:13-CV-00227-RLV, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN AMOUNT of \$30,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING PAYMENTS 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.

EAR

Eric Richardson, Deputy City Attorney **ADOPTED BY**

MAR 04 2013

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 *2/26/13* _____
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
MAR 04 2013
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 04 2013
Rhonda Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 13 2013

WITHOUT SIGNATURE BY OPERATION OF LAW

A RESOLUTION

13-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 BETTY FREEMAN, ET AL. V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:13-CV-00227-RLV, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$30,000 (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 FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Betty Freeman, et al. v. City of Atlanta, et al.*, is a lawsuit in which the Plaintiffs, Betty Freeman, Warnett Freeman, Josephine Artis, and Tyrell Artis, sought remedy and redress for alleged deprivation of their Fourth Amendment rights in connection with actions by certain officers of the Atlanta Police Department; and

WHEREAS, Plaintiffs have agreed to the Settlement Amount in full settlement of all claims against all 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's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considered it to be in the best interest of the City to pay the Settlement Amount to settle all claims against the City of Atlanta and its police officers.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

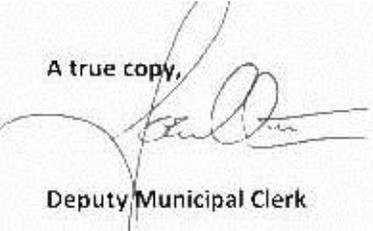
SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *Betty Freeman, et al. v. City of Atlanta, et al.* in the total amount of Thirty Thousand Dollars and Zero Cents (\$30,000.00).



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 four checks as follows: (a) \$10,000.00 payable to Jones Federal & Appellate, LLC and Betty Freeman; (b) \$7,500.00 payable to Jones Federal & Appellate, LLC and Warnett Freeman; (c) \$7,500.00 payable to Jones Federal & Appellate, LLC and Josephine Artis; and (d) \$5,000.00 payable to Jones Federal & Appellate, LLC and Tyrell Artis.

Such payments shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former police officers.

A true copy,


Deputy Municipal Clerk

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

March 04, 2013
March 13, 2013

RCS# 2575
3/04/13
2:40 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I; 3/4/2013

ALL ITEMS

ADOPT

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

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

CONSENT I

		03-04-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPDED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-0317	35. 13-R-0348	67. 13-R-0380
2. 13-O-0206	36. 13-R-0349	68. 13-R-0381
3. 13-O-0199	37. 13-R-0350	69. 13-R-0382
4. 13-O-0273	38. 13-R-0351	70. 13-R-0383
5. 13-O-0329	39. 13-R-0352	71. 13-R-0384
6. 13-O-0190	40. 13-R-0353	72. 13-R-0385
7. 13-O-0191	41. 13-R-0354	73. 13-R-0386
8. 13-O-0192	42. 13-R-0355	74. 13-R-0387
9. 13-R-0294	43. 13-R-0356	75. 13-R-0388
10. 13-R-0300	ITEMS ADVERSED ON CONSENT	76. 13-R-0389
11. 13-R-0305	44. 13-R-0357	77. 13-R-0390
12. 13-R-0194	45. 13-R-0358	78. 13-R-0391
13. 13-R-0295	46. 13-R-0359	79. 13-R-0392
14. 13-R-0296	47. 13-R-0360	80. 13-R-0393
15. 13-R-0298	48. 13-R-0361	81. 13-R-0394
16. 13-R-0318	49. 13-R-0362	82. 13-R-0395
17. 13-R-0319	50. 13-R-0363	83. 13-R-0396
18. 13-R-0320	51. 13-R-0364	84. 13-R-0397
19. 13-R-0415	52. 13-R-0365	85. 13-R-0398
20. 12-R-1597	53. 13-R-0366	86. 13-R-0399
21. 13-R-0301	54. 13-R-0367	87. 13-R-0400
22. 13-R-0302	55. 13-R-0368	88. 13-R-0401
23. 13-R-0308	56. 13-R-0369	89. 13-R-0402
24. 13-R-0293	57. 13-R-0370	90. 13-R-0403
25. 13-R-0338	58. 13-R-0371	91. 13-R-0404
26. 13-R-0339	59. 13-R-0372	92. 13-R-0405
27. 13-R-0340	60. 13-R-0373	93. 13-R-0406
28. 13-R-0341	61. 13-R-0374	94. 13-R-0407
29. 13-R-0342	62. 13-R-0375	95. 13-R-0408
30. 13-R-0343	63. 13-R-0376	96. 13-R-0409
31. 13-R-0344	64. 13-R-0377	97. 13-R-0410
32. 13-R-0345	65. 13-R-0378	98. 13-R-0411
33. 13-R-0346	66. 13-R-0379	99. 13-R-0412
34. 13-R-0347		100. 13-R-0413