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13-R-3416

(Do Not Write Above This Line)

A RESOLUTION

BY COUNCIL MEMBER MICHAEL JULIAN BOND

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF TERESA ANN CULPEPPER V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:12-CV-02180-CAP, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN AMOUNT of \$100,000.00 (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 FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

- 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 _____

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 _____
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Committee _____
Date _____
Chair _____
Action Fav, Adv, Hold (See rev.side) Other _____
Members _____
ADOPTED BY
AUG 19 2013
COUNCIL
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
 AUG 19 2013
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 AUG 19 2013
 Ronda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
 AUG 28 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

13-R-3416

A RESOLUTION

BY COUNCILMAN MICHAEL JULIAN BOND

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF TERESA ANN CULPEPPER V. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NUMBER 1:12-CV-02180-CAP, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$100,000.00 (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 FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Teresa Ann Culpepper v. City of Atlanta, et al.*, is a lawsuit in which the Plaintiff, Teresa Ann Culpepper, sought remedy and redress for alleged deprivation of her Fourth Amendment rights in connection with actions by certain officers of the Atlanta Police Department; and

WHEREAS, Plaintiff has agreed to the Settlement Amount in full settlement of all claims against all 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'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 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 *Teresa Ann Culpepper v. City of Atlanta, et al.* in the total amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00).



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 a check in the amount of \$100,000.00 payable to **The Merchant Law Firm, PC and Teresa Ann Culpepper.** 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,

A handwritten signature in black ink, appearing to read "J. [unclear]".

Deputy Municipal Clerk

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

August 19, 2013
August 28, 2013

RCS# 2958
8/19/13
5:01 PM

Atlanta City Council

PERSONAL

AUTHORIZING SETTLEMENT OF ALL CLAIMS OF
THERESA ANN COOPER VS. COA
SEND POST HASTE

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 0

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

PERSONAL