A SUBSTITUTE RESOLUTION

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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 *ANTHONY DAVIDSON V. CITY OF ATLANTA*, CIVIL ACTION FILE NUMBER 1:11-CV-02880-JEC, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF $90,000.00; AUTHORIZING PAYMENT OF $90,000.00 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, ***Anthony Davidson v. City of Atlanta*** is a case in which the Plaintiff, Anthony Davidson, sought remedy and redress for alleged age discrimination in employment with the Atlanta Fire Rescue Department; and

WHEREAS, Plaintiff has agreed to accept $90,000.00 in full settlement of all claims against the City of Atlanta, 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 amount of $90,000.00 to settle all claims against the City of Atlanta.

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 necessary settlement documentation in the case of ***Anthony Davidson v. City of Atlanta*** in the amount of Forty-Five Thousand Dollars and Zero Cents ($90,000.00).

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 made in two separate checks of (1) A check in the amount of $36,000.00 made payable to Mr. Davidson's attorneys, Parks Chesin & Walbert and (2) A check in the amount of $54,000.00 made payable to Anthony Davidson.**

Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former employees.