

A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF CLEMMIN DAVIS V. KASIM REED, ET AL., CIVIL ACTION FILE NUMBER 2013-CV-229986, SUPERIOR COURT OF FULTON COUNTY STATE OF GEORGIA, IN THE AMOUNT OF \$150,000.00; AUTHORIZING PAYMENT OF \$150,000.00 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.

Review List:

Kimberly Patrick	Completed	01/21/2014 11:43 AM
Finance	Completed	01/21/2014 12:21 PM
Office of Research and Policy Analysis	Completed	01/22/2014 9:25 AM
Public Safety & Legal Administration Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

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WHEREAS, *Clemmin Davis v. Kasim Reed, City of Atlanta, Nicholas J. Dimauro, Joshua W. Lowry, and Brian D. Thomas*, is a case in which the Plaintiff, Clemmin Davis, sought remedy and redress for alleged deprivation of his Fourth Amendment rights; and

WHEREAS, Plaintiff has agreed to accept \$150,000.00 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 considers it to be in the best interest of the City to pay the amount of \$150,000.00 to settle all claims against City defendants.

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 *Clemmin Davis v. Kasim Reed, et al.* in the amount of One Hundred Fifty-Thousand Dollars and Zero Cents (\$150,000.00).

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 in the form of a check in the amount of \$150,000.00 payable to Bullman Law Group, LLC and Clemmin Davis.

Such payment shall be in full consideration of the dismissal of all claims against all defendants.