

A RESOLUTION

12-R- 12- R-1371

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.