(R-2001-622)

RESOLUTION NUMBER R- 293988

WHEREAS, in Closed Session on October 17, 2000, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 5, 6, 7, and 8; Not Present, District 4 and the Mayor, approved the settlement of certain claims in the case *Beverly Walker v. City of San Diego, et al.*, U.S. District Court Case No. 97-cv-1547 BTM (POR); and

WHEREAS, at the same time by the following vote: Yeas, Districts 1, 2, 3, 5, 7, and 8; Nays, District 6; Not Present, District 4 and the Mayor, the City Council approved a partial claim for indemnity arising from the same case; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay a total sum not to exceed \$1,660,000.00, in the settlement of claims against the City of San Diego, its agents and employees, in U.S. District Court Case No. 97-cv-1547 BTM (POR), *Beverly Walker v. City of San Diego, et al.*, resulting from personal injury to Beverly Walker, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue seven checks, one in the amount of \$150,000.00, made payable to Beverly Walker and her attorney of record, Amy B. Vandeveld; one in the amount of \$20,000.00, made payable to Noel Neudeck and his attorney of record, Amy B. Vandeveld; one in the amount of \$20,000.00, made payable to Peter Moseley and his attorney of record, Amy B. Vandeveld; one in the amount of \$25,000.00, made payable to Jebb Hann and his attorney of record Amy B. Vandeveld; one in the amount not to exceed \$15,000.00, made payable to the Estate of Kip

Hayes and his attorney of record, Amy B. Vandeveld; one in the amount not to exceed \$130,000.00, made payable to the Law Firm of Skadden, Arps, Slate, Meagher, and Flom, LLP; and one in the amount of \$1,300,000.00, made payable to Amy and Thomas Vandeveld, Attorneys at Law, said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

APPROVED: CASEY GWINN, City Attorney

By

Eugene P. Gordon
Deputy City Attorney

EPG:rd:db:Civ. 11/06/00 Aud.Cert:2100398 Or.Dept:Risk Mgmt. R-2001-622 Form=claimr.frm

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