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(R-2008-1164)

RESOLUTION NUMBER R- **303887**

DATE OF FINAL PASSAGE **JUN 25 2008**

A RESOLUTION OF THE CITY COUNCIL APPROVING
SETTLEMENT OF LITIGATION ENTITLED *JAIME LIMON V
DAVID LAMONT WILLIAMS, ALLIED GARDENS TOWING,
INC , ROAD ONE WEST, ET AL*

WHEREAS, in Closed Session on June 10, 2008, by motion of District 3 and second by District 7, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and 8; Nays, None; Not Present, None; approved the following motion: settlement of all claims of the City of San Diego against RoadOne West, Inc., Allied Gardens Towing, Inc., A to Z Enterprises, Inc., and David Williams in the case of *Jaime Limon v David Lamont Williams, Allied Gardens Towing, Inc., Road One West, et al*, San Diego Superior Court Case No. GIE 030725; NOW, THEREFORE,

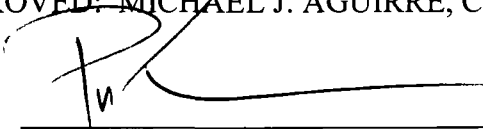
BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is hereby authorized to enter into a settlement agreement with RoadOne West, Inc., Allied Gardens Towing, Inc., A to Z Enterprises, Inc., and David Williams to resolve the City of San Diego's claims set forth in San Diego Superior Court Case No. GIE 030725, *Jaime Limon v. David Lamont Williams, Allied Gardens Towing, Inc., Road One West, et al*, whereby the City of San Diego shall receive payment of \$103,500 to the City of San Diego's benefit, and additional payment to the City of San Diego of \$239,000 to be held in trust in an interest bearing account, which sum shall be payable to the City of San Diego if Jaime Limon receives a disability retirement related to incident underlying the subject litigation, or if no such disability retirement

occurs, shall be payable to Jamie Limon, and subject to such further terms as specified in the settlement agreement.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized, upon receipt of all funds due the City of San Diego from the settlement of San Diego Superior Court Case No. GIE 030725, *Jaime Limon v David Lamont Williams, Allied Gardens Towing, Inc., Road One West, et al*, to open an interest bearing account with the principal sum of \$239,000, to be held in trust for Jamie Limon and the City of San Diego, which sum shall be payable to the City of San Diego if Jaime Limon receives a disability retirement related to incident underlying the subject litigation, or if no such disability retirement occurs, shall be payable to Jamie Limon, and subject to such further terms as specified in the settlement agreement. The money received is designated for Fund No. 60029 and to be deposited in Account No. 78201.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Paige Folkman
Deputy City Attorney

SVK:svk
06/10/08
Or.Dept:CityAtty
R-2008-1164

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego,
at its meeting of JUN 24 2008.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 6-25-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor