

RESOLUTION NUMBER R- 307152  
DATE OF FINAL PASSAGE NOV 28 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT  
BETWEEN SCOTT KESSLER AND THE CITY OF SAN  
DIEGO

WHEREAS, on July 1, 2009, Scott Kessler filed suit alleging he was retaliated against and wrongful terminated by the City of San Diego (City). Plaintiff brought suit in the San Diego Superior Court. The suit is entitled *Scott Kessler v. City of San Diego*, Case No 37-2009-00092899-CU-WE-CTL (Litigation); and

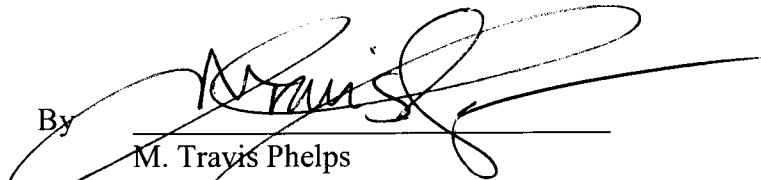
WHEREAS, in Closed Session on October 11, 2011, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 6, 8; Nays, District 5; and absent, District 7, approved settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$200,000.00 to be paid from the Public Liability Fund (Number 720045) in settlement of each and every claim for damages, interest, costs and fees of any type, including attorneys' fees, against the City, its agents and employees, arising from the Litigation; and

2. The Comptroller to issue a check in the amount of \$200,000.00 payable to the  
Josh Gruenberg, APC Trust Account.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
M. Travis Phelps  
Deputy City Attorney

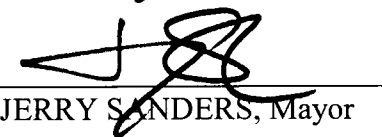
MTP  
10/12/2011  
Or.Dept:Risk Management

I hereby certify that the foregoing Resolution was passed by the Council of the City of San  
Diego, at this meeting of NOV 15 2011.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 11-28-11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor