

10/9
#104

RESOLUTION NUMBER R- 307731

DATE OF FINAL PASSAGE OCT 16 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
MARY BRACEWELL, AND THE CITY OF SAN DIEGO

WHEREAS, on April 23, 2012, MARY BRACEWELL, filed suit against the City of San Diego [City] alleging False Imprisonment – State; Intention Infliction of Emotional Distress and Civil Rights Violations - §1983. Plaintiff brought suit in the Superior Court of the State of California, and the City removed the case to the United States District Court. The suit is entitled *Mary Bracewell v. City of San Diego et al.*; Case No. 12-cv-1266 WQH (JMA)[Litigation]; and

WHEREAS, the City Council in closed session on July 10, 2012, authorized 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. Authorizing the sum of \$50,000.00 to be paid from the Public Liability Fund No. 720045 in settlement of each and every claim for damages and interest, exclusive of costs and attorney fees, against City of San Diego, its agents, employees and former employees, arising from the above-captioned matter, United States District Court Case No. 12-cv-1266 WQH (JMA).

2. Authorizing the Chief Financial Officer to appropriate and expend \$50,000.00 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizing the Comptroller to issue a check in the amount of \$50,000.00 made payable to the Mitchell Gilleon Trust Account and Mary Bracewell.

APPROVED: JAN I. GOLDSMITH, City Attorney

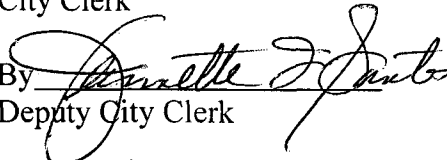
By 

Christina M. Milligan
Deputy City Attorney

CMM:aml
September 19, 2012
Or.Dept:City Atty
R-2013-151

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 09 2012

ELIZABETH S. MALAND
City Clerk

By 

Janelle J. Santos
Deputy City Clerk

Approved: 10-16-12

(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor