

RESOLUTION NUMBER R- 307861

DATE OF FINAL PASSAGE NOV 27 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
ROGER CARY AND THE CITY OF SAN DIEGO

WHEREAS, on October 5, 2011, Plaintiff Roger Cary filed suit against the City of San Diego [City] alleging personal injuries arising from an incident which occurred on March 14, 2011. The suit is entitled *Roger Cary v. City of San Diego, et al.*, Case No 37-2011-00098841-CU-PO-CTL [Litigation]; and

WHEREAS, the City Council in Closed Session on October 16, 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,

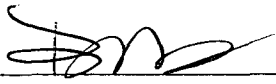
BE IT RESOLVED, by the City Council of the City of San Diego, that the council authorizes:

1. Authorizing the Mayor or his designee to pay the sum of \$110,000.00 to be paid from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, arising from the personal injury claim of Roger Cary, San Diego Superior Court Case No. 37-2011-00098841-CU-PO-CTL.

2. Authorizing the Chief Financial Officer to appropriate and expend \$110,000.00 from the Public Liability Fund 720045, contingent upon the Chief Financial Officer 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 \$110,000.00 made payable to the Law Offices of Robert A. Ball, APC.

APPROVED: JAN I. GOLDSMITH, City Attorney

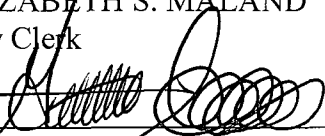
By 

Bonny Hsu
Deputy City Attorney

BH:mky
October 24, 2012
Or.Dept: City Atty
R-2013-287

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 11/27/12.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 11.27.12
(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor