

Item No. 111  
4/9/13

(R-2013-505)

RESOLUTION NUMBER R- 308093

DATE OF FINAL PASSAGE APR 22 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN  
NATHANIEL C. DUCHEIN, LAWRENCE DAVID ORSO AND THE CITY OF  
SAN DIEGO

WHEREAS, on December 20, 2011, NATHANIEL DUCHEIN filed suit against  
Lawrence David Orso and the City of San Diego [City] alleging personal injuries arising from  
the automobile collision with a City employee. Plaintiff brought suit in the San Diego Superior  
Court. The suit is entitled Nathaniel C. Duchein v. Lawrence David Orso and the City of San  
Diego, San Diego Superior Court Case No. 37-2011-00102781-CU-PA-CTL [Litigation]; and

WHEREAS, in Closed Session on March 5, 2013, the City Council, by the following  
votes: Yeas - District(s) 1, 3, 5, 6, 7, 8; Nays, 0, District(s) N/A and absent, District(s) 2, 4, 9,  
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,  
THEERFORE,


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

1. Authorizing the sum of \$115,000 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 City of San Diego, its agents and employees, arising from the personal damage claim of Nathaniel C. Duchien, San Diego Superior Court Case No. 37-2011-00102781-CU-PA-CTL.

2. Authorizing Chief Financial Officer to appropriate and expend \$115,000 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.

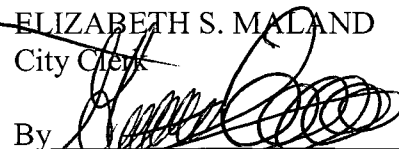
3. Authorizing the Comptroller to issue a check in the amount of \$115,000, made payable to Epstein, Grinnell & Howell Client Trust Account.

APPROVED: JAN I. GOLDSMITH, City Attorney

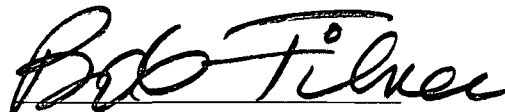
By   
\_\_\_\_\_  
Stacy J. Plotkin-Wolff  
Deputy City Attorney

SJP:ctm  
March 8, 2013  
Or.Dept:City Attorney  
R-R-

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 09 2013.

  
ELIZABETH S. MALAND  
City Clerk  
By \_\_\_\_\_  
Deputy City Clerk

Approved: 4/22/13  
(date)

  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor