

RESOLUTION NUMBER R- 308420

DATE OF FINAL PASSAGE SEP 25 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT  
BETWEEN ASHLEY BROOKS AND THE CITY OF SAN  
DIEGO, ET AL.

WHEREAS, on May 2, 2013, ASHLEY BROOKS filed suit against the City of San Diego [City] alleging Civil Rights Violations, Negligence, Battery, and Unlawful Customs, Policies and Habits, arising from an incident that occurred at Qualcomm Stadium on September 23, 2012. Plaintiffs brought suit in the United States District Court. The suit is entitled *Brooks, Ashley v. COSD, et al.*, USDC 13cv1047 JM (JMA) [Litigation]; and

WHEREAS, in Closed Session on July 29, 2013, the City Council, by the following votes: Yeas, District(s) - 1, 2, 3, 4, 5, 6, 7, 8, and 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 on file in the Office of the City Clerk as Document No.

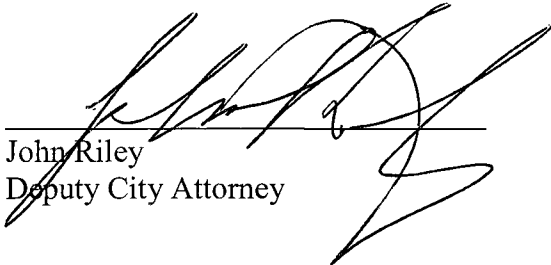
RR-308420 NOW THEREFORE,

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

1. The sum of three hundred fifty thousand dollars (\$350,000) to be paid from the Public Liability Fund No. 7714 in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the Litigation.

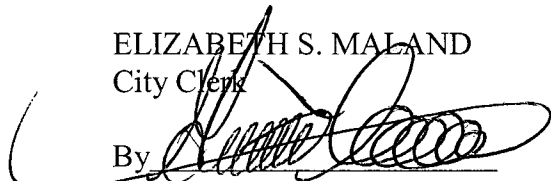
2. The Comptroller to issue a check in the amount of \$350,000 payable to Ashley Brooks and her attorney of record Michael R. Marrinan.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
John Riley  
Deputy City Attorney

JER:aml:ccm  
08/15/2013  
09-05-2013 COR. COPY  
Or.Dept: San Diego Police Department  
CC No.: 3000006303  
Doc. No.: 608156\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2013

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

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Mayor

Approved pursuant to Charter Section 265(i).

Passed by the Council of The City of San Diego on SEP 10 2013, by the following vote:

| Councilmembers  | Yeas                                | Nays                     | Not Present                         | Recused                  |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Sherri Lightner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Kevin Faulconer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Todd Gloria     | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Mark Kersey     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Lorie Zapf      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Scott Sherman   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| David Alvarez   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| Marti Emerald   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Date of final passage SEP 25 2013

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By  , Deputy

Office of the City Clerk, San Diego, California

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