



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

C-6

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Amy R. Webber  
Theodore B. Zinger

June 14, 2016

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$85,000.00 in full settlement of lawsuit entitled Maura Cotter v. City of Long Beach, et al.

DISCUSSION:

On August 14, 2013, plaintiff was arrested for blocking public passage during a protest outside a McDonald's restaurant. Plaintiff later filed a lawsuit alleging that her civil rights were violated when she was arrested.

After extensive negotiations, the parties reached a tentative settlement of the entire action for \$85,000.00; of that amount, \$15,000 will be paid to plaintiff and \$70,000.00 will be paid to plaintiff's counsel for attorneys' fees and costs. The Economic Development and Finance Committee approved the proposed settlement on May 17, 2016.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By 

HOWARD D. RUSSELL  
Deputy City Attorney



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June 14, 2016

HONORABLE MAYOR AND CITY COUNCILMEMBERS  
City of Long Beach  
California

**RECOMMENDATION:**

Recommendation to authorize City Attorney to pay sum of \$160,000 in full and final resolution of the lawsuit entitled *Hawk, et al. v. City of Long Beach, et al.*

**DISCUSSION:**

On the evening of July 26, 2013, Plaintiff Daroza, and his friend, the decedent, Taryn Hawk, were riding their motorcycles eastbound on Second Street near the intersection of Glendora in Belmont Shore. As both motorcyclists approached the intersection, another driver turned left in front of them. Both Daroza and Hawk came in contact with that vehicle. Daroza sustained minor injuries; but the contact killed Hawk. Daroza and Hawk's mother sue the City alleging the bikeway at the location created a dangerous condition of public property and contributed to the incident.

Following mediation and continued settlement discussions with Plaintiffs' counsel, all Plaintiffs have agreed to accept \$160,000 as full settlement of this case. The proposed settlement was presented to the Economic Development and Finance Committee on May 17, 2016, and was approved on that date. We therefore ask authority to pay the sum of \$160,000 in full settlement of this claim against the City of Long Beach.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,

Charles Parkin, City Attorney

By

THEODORE B. ZINGER, Deputy