



Legislation Details (With Text)

File #: 09-0482 **Version:** 1 **Name:** ATTORNEY-Settlement of J.Bonner, J.Clemmons, C.Garcia & J.Marshall

Type: Agenda Item **Status:** Approved

File created: 5/1/2009 **In control:** City Council

On agenda: 5/12/2009 **Final action:** 5/12/2009

Title: Recommendation to authorize City Attorney to pay the sum of \$47,500 in full settlement of lawsuit entitled Jarron Bonner v. City of Long Beach et al., Case No. BC391769; \$75,000 in full settlement of lawsuit entitled Jerome Clemmons v. City of Long Beach et al., Case No. CV05-5525; \$6,500 in full settlement of lawsuit entitled Carmen Garcia v. City of Long Beach, Case No. NC051257; and \$7,508 in full settlement of claim by James A. Marshall, Claim No. C08-0818.

Sponsors: City Attorney

Indexes: Lawsuit, Settlement

Code sections:

Attachments: 1. 051209-C-3sr.pdf

Date	Ver.	Action By	Action	Result
5/12/2009	1	City Council	approve recommendation	Pass

Recommendation to authorize City Attorney to pay the sum of \$47,500 in full settlement of lawsuit entitled Jarron Bonner v. City of Long Beach et al., Case No. BC391769; \$75,000 in full settlement of lawsuit entitled Jerome Clemmons v. City of Long Beach et al., Case No. CV05-5525; \$6,500 in full settlement of lawsuit entitled Carmen Garcia v. City of Long Beach, Case No. NC051257; and \$7,508 in full settlement of claim by James A. Marshall, Claim No. C08-0818.

Jarron Bonner

On April 15, 2007, Long Beach police officers misidentified Plaintiff as a gang member and as having hid a gun in an apartment complex laundry room. Consequently, Plaintiff was mistakenly arrested and incarcerated.

Following settlement discussions with Plaintiff’s counsel, Plaintiff has agreed to settle this matter for \$ 47,500. The proposed settlement was presented to the Economic Development and Finance Committee on April 14, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$ 47,500.00 in full settlement of this lawsuit.

Jerome Clemmons

On June 27, 2004, Long Beach police officers arrested Clemmons for outstanding warrants. When brought to the police station to be booked, Clemmons was live scanned (fingerprinted) and the results of the live scan confirmed that Clemmons was not the subject of the warrant, but Clemmons was mistakenly transferred to the County jail.

Following settlement discussions with Plaintiff’s counsel, Plaintiff has agreed to settle this matter for \$ 75,000.00. The proposed settlement was presented to the Economic Development and Finance

Committee on April 14, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$ 75,000.00 in full settlement of this lawsuit.

Carmen Garcia

On June 14, 2007, Plaintiff, 59 year old Carmen Garcia, tripped and fell on a two and one half inch (2 ½) raised portion of the sidewalk in Somerset Park in Long Beach. Plaintiff claimed she sustained bilateral knee injury and injured her lower back.

Following settlement discussions with Plaintiff's counsel, Plaintiff has agreed to settle this matter for \$ 6,500.00. The proposed settlement was presented to the Economic Development and Finance Committee on April 14, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$ 6,500.00 in full settlement of this lawsuit.

James A. Marshall

On November 11, 2008, James A. Marshall filed a claim for money damages arising from damage to his plumbing system caused by City tree roots. Following settlement discussions with Claimant, Claimant has agreed to settle this matter for \$ 7,508.00. The proposed settlement was presented to the Economic Development and Finance Committee on April 14, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$ 7,508.00 in full settlement of this claim.

Approve recommendation.

Respectf
ully
submitted

,
ROBERT
E.
SHANNO
N, City
Attorney

By:

NAME
TITLE

INITIALS