



Legislation Details (With Text)

File #: 13-0533 **Version:** 1 **Name:** CA-Settlements - Goines; Swails
Type: Agenda Item **Status:** Approved
File created: 6/14/2013 **In control:** City Council
On agenda: 6/18/2013 **Final action:** 6/18/2013
Title: Recommendation to authorize City Attorney to pay sum of \$15,000 in full settlement of lawsuit entitled Nicole Goines, v. City of Long Beach, et al; and to pay sum of \$15,000 in full settlement of lawsuit entitled Eldon Swails v. City of Long Beach, Case No. NC057685.
Sponsors: City Attorney
Indexes:
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Attachments: 1. 061813-NB-22sr.pdf

Date	Ver.	Action By	Action	Result
6/18/2013	1	City Council	approve recommendation	Pass

Recommendation to authorize City Attorney to pay sum of \$15,000 in full settlement of lawsuit entitled *Nicole Goines, v. City of Long Beach, et al*; and to pay sum of \$15,000 in full settlement of lawsuit entitled *Eldon Swails v. City of Long Beach, Case No. NC057685*.

Long Beach Police officers responded to a fight at Bernie's Liquor Store on November 10, 2009. Officers used force and plaintiff was arrested and jailed.

Plaintiff alleged that her civil rights were violated, and that the City and officers were responsible for her injuries and other damages.

After extensive investigation of plaintiff's claims, a tentative settlement of \$15,000.00, (including all costs and attorneys' fees) was reached.

The Economic Development and Finance Committee approved the proposed settlement on June 4, 2013.

and

On June 26, 2011, Plaintiff, Eldon Swails, sustained personal injuries when he tripped and fell on an uneven portion of sidewalk near the corner of Pacific and 36th Street in Long Beach. Swails fell forward and landed on his knees and elbows. As a consequence, Swails injured both elbows, both forearms, and an injury to his knee.

Following a court ordered mediation, Plaintiff has agreed to accept \$15,000 as full settlement of this matter, contingent upon City Council approval. The settlement was presented to the Economic Development and Finance Committee on June 11, 2013, as was approved on that date.

Approve recommendation.

ROBERT E. SHANNON
CITY ATTORNEY