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Long Beach, California

C-2

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May 15, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay the sum of \$15,000.00 in full settlement of the lawsuit entitled *Timothy Wheat and Jayne Wheat v. City of Long Beach, et al. Case No. NC053256*.

DISCUSSION

Plaintiff, Timothy Wheat (Wheat) and his mother, Jayne Wheat sued the City and a Long Beach police officer, claiming that the police officer negligently deployed his Electronic Control Device (taser). While arresting Wheat for drunk and disorderly conduct, Wheat threatened the police officer. The officer deployed his taser, and the taser barb lodged in Wheat's right eye. Jayne Wheat was present and witnesses the event.

Following settlement discussions during trial, plaintiffs agreed to accept \$15,000.00 as a full, global settlement of this case. The settlement was approved by the Economic Development and Finance Committee on May 1, 2012.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By

  
Monte H. Machit, Principal Deputy

MHM:ivs