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Long Beach, California

C-5

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November 3, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$13,000 in full settlement of lawsuit entitled *Annette Barnett and Michael Schutt v City of Long Beach et al.* Case No. NC052008

DISCUSSION

On October 14, 2007 a Long Beach Police Officer drove her marked police car into the back of Plaintiffs' car while Plaintiffs were stopped at a traffic light. Plaintiffs sustained personal injuries and property damage.

Following settlement discussions with Plaintiffs' counsel, Plaintiffs have agreed to settle this matter for \$ 13,000.00. The proposed settlement was presented to the Economic Development and Finance Committee on October 6, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$ 13,000 in full settlement of this lawsuit.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By 
Monte H. Machit, Principal Deputy

MHM:ivs



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HONORABLE MAYOR AND CITY
COUNCIL
City of Long Beach, California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay the sum of \$140,000.00 in full settlement of lawsuit entitled *Molina v. City of Long Beach, et al.*, Case No.: NC050520.

DISCUSSION:

This suit arises out of a motorcycle accident which took place on a City street. The plaintiff alleges that he drove through a pothole, which constituted a dangerous condition on public property, resulting in catastrophic injuries. The parties were able to reach a tentative settlement agreement of \$140,000.00, subject to City Council approval.

The Economic Development and Finance Committee approved the proposed settlement on October 6, 2009.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By:

BARRY M. MEYERS, Deputy

BMM/gw

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