

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST DEFENDANTS IN THE CASE OF JOSEPH P. NETTO AND GISELA CRESPO-RIVERO V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 18EV002011, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF THIRTY SIX THOUSAND, SEVEN HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$36,750.00) (THE “SETTLEMENT AMOUNT”); AUTHORIZING THE SETTLEMENT AMOUNTS TO BE CHARGED TO AND PAID FROM 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 1512000 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, JOSEPH P. NETTO AND GISELA CRESPO-RIVERO V. CITY OF ATLANTA is a lawsuit in which Plaintiffs sought to recover damages from a motor vehicle accident allegedly caused by the negligence of the City of Atlanta; and

WHEREAS, Plaintiffs allege the City of Atlanta Police Department improperly operated a motor vehicle and that this alleged negligence caused Plaintiffs’ personal injuries; and

WHEREAS, Plaintiffs agreed to accept the Settlement Amount in full settlement of all claims against the City of Atlanta; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City of Atlanta’s potential financial exposure in defending Plaintiffs’ claim is in excess of the Settlement Amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City of Atlanta to pay the Settlement Amount to settle all claims.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of **JOSEPH P. NETTO AND GISELA CRESPO-RIVERO V. CITY OF**

ATLANTA, in the amount of Thirty-Six Thousand, Seven Hundred Fifty Dollars and Zero Cents (\$36,750.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from **FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) and FUNCTIONAL ACTIVITY NUMBER 1512000 (ACCOUNTING)**. Payment shall be in the form of two checks, the first in the amount of **\$14,250.00** payable to Mr. Joseph Netto and The Roth Firm, LLC, 1600 Parkwood Circle SE, Suite 600, Atlanta, GA 30339. The second check, in the amount of **\$22,500.00** payable to Ms. Gisela N. Crespo Rivera and The Roth Firm, LLC, 1600 Parkwood Circle SE, Suite 600, Atlanta, GA 30339. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.