

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST DEFENDANTS IN THE CASE OF EMMETT J. ARNOLD, IV, AS ADMINISTRATOR OF THE ESTATE OF RANDALL BROOKS v. TERRENCE ALEXANDER, TOMIKA MURDEN, AND ROSMOND GORDON, CIVIL ACTION FILE NUMBER 11-EV-014025C, IN THE STATE COURT OF FULTON COUNTY STATE OF GEORGIA, IN THE AMOUNT OF ONE HUNDRED AND THIRTY THOUSAND DOLLARS AND ZERO CENTS (\$130,000.00) (THE “SETTLEMENT AMOUNT”); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES); and 1512000 (FUNCTIONAL ACTIVITY NUMBER); AUTHORIZING PAYMENT OF \$130,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Plaintiff Emmett J. Arnold filed a lawsuit, EMMETT J. ARNOLD, IV, AS ADMINISTRATOR OF THE ESTATE OF RANDALL BROOKS v. TERRENCE ALEXANDER, TOMIKA MURDEN, AND ROSMOND GORDON, alleging that Randall Brooks suffered severe bodily injuries resulting from excessive force used during his arrest;

WHEREAS, Plaintiff sought monetary damages for Mr. Brooks’ medical expenses, pain and suffering, attorney’s fees and costs of litigation;

WHEREAS, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against Defendants, inclusive of interest and attorney’s fees; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City’s potential financial exposure in defending Plaintiff’s claims is far in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the settlement amount to settle all claims against Defendants.

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 settlement documents in the case of EMMETT J. ARNOLD, IV, AS ADMINISTRATOR OF THE ESTATE OF RANDALL BROOKS v. TERRENCE ALEXANDER, TOMIKA MURDEN, AND ROSMOND GORDON, Civil Action File Number in the amount of One-Hundred-and-Thirty-Thousand Dollars and Zero Cents (\$130,000.00).

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 1512000 (Functional Activity Number)**. A check shall be issued in the amount of **\$130,000.00** payable to **The Estate of Randall Brooks c/o Attorney Emmett J. Arnold, IV and the Davis Bozeman Law Firm..**

Such payment shall be in full consideration of the dismissal of all claims against Defendants.