

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

(1) SHARON DALTON, as Personal)
Representative of the Estate of ANGELA)
LIGGANS, deceased,)
)
Plaintiff,)
)
v.)
)
(1) CHRIS ELLIOTT, in his official capacity)
Wagoner County Sheriff,)
)
Defendant.)

Case No. 23-CV-139-RAW-GLJ

JOURNAL ENTRY OF JUDGMENT UPON AGREED SETTLEMENT

THIS MATTER comes before the Court on the Joint Motion for Entry of Judgment upon Agreed Settlement (Dkt. # 83). Plaintiff, Sharon Dalton, as Personal Representative of the Estate of Angela Liggans, deceased, appears by and through her attorney of record, Smolen & Roytman, PLLC. Defendant Chris Elliott, in his official capacity Sheriff Wagoner County, appears by and through his attorney of record, Collins, Zorn & Wagner, PLLC.

Upon being advised that the Parties have reached a full and final settlement of this action in the amount of \$13,500,000.00 dollars, with \$483,156.70 of this amount previously having been paid by ACCO-SIG leaving the remaining balance of \$13,016,843.30 having been authorized by the County via entry of a consent judgment, with the post-judgment interest at the rates as set out in **Schedule 1**, below, and post-judgment interest will not begin to accrue on the remaining balance until January 1, 2025, with no penalty for early or pre-payment the Court finds as follows:

- 1) That the Court has subject matter jurisdiction of this lawsuit and the Parties.
- 2) That the Parties have reached a full and final settlement of this lawsuit with no

liability admitted on behalf of Defendant Chris Elliott, in his official capacity Sheriff Wagoner

County.

3) That the Board of County Commissioners of Wagoner County has formally authorized settlement of Plaintiff's lawsuit in the amount of Thirteen Million, Five Hundred Thousand dollars (\$13,500,000.00), with \$483,156.70 of this amount previously having been paid by ACCO-SIG and the remaining balance of \$13,016,843.30 having been authorized by the County via entry of a consent judgment, with the post-judgment interest at the rates as set out in **Schedule 1**, below, that post-judgment interest will not begin to accrue on the remaining balance until January 1, 2025, with no penalty for early or pre-payment and Plaintiff has agreed to the terms of the settlement, which are set forth and reduced to Judgment herein, hereby settling all claims which were brought or could have or should have been brought against the Defendants Chris Elliott, in his official capacity Sheriff of Wagoner County; Blake Bode; Haley Longshore; Ashley Aldrich, D.O.; and Jonathan Villavicencio; and all other Releasees as defined below, arising from or relating in any way to the conduct alleged in the Complaint including but not limited to the death of Angela Liggans on or about June 2, 2021 (Dkt. #2) or any related conduct of the Releasees alleged to have occurred since the filing of the Complaint (Dkt. #2), as those claims exist as of the filing of this Journal Entry of Judgment Upon Agreed Settlement.

4) That Plaintiff, on behalf of herself, her heirs, successors and assigns, hereby releases and forever discharges Defendant Chris Elliott, Sheriff of Wagoner County, the Board of County Commissioners of Wagoner County, office holders whether state or county, and their past or present board members, employees, agents, representatives, affiliates, successors, assigns, previously dismissed Defendants and all other persons, firms, corporations that are or may be liable to any extent for any or all claims of any kind or character whatsoever (herein individually "Releasee" and collectively "Releasees"), arising from or relating in any way to the conduct alleged in the Complaint (Dkt. #2) or any related conduct of the Releasees alleged to have occurred since the filing of the

Complaint (Dkt. #2), which Plaintiff, as Personal Representative of the Estate of Angela Liggans, deceased, individually and/or in all other capacities, now has or under any circumstances could or might have had against any Releasee as of the filing of this Journal Entry of Judgment Upon Agreed Settlement (herein the “Released Claims”).

5) That settlement and payment of Thirteen Million, Five Hundred Thousand Dollars (\$13,500,000.00) is inclusive of all attorney’s fees, liens, pre-judgment interest, and costs, and all medical, dental, doctor, chiropractic, mental health, attorney, hospital and health care provider liens.

6) That if this Judgment were against an individual, it would be payable in full immediately. Because of the statutes of the State of Oklahoma and the agreement of the parties, the paying entity, the Board of Commissioners for Wagoner County, will pay \$13,016,843.30 of this Judgment in ten equal annual installments plus post-judgment interest compounded annually on the first day of January of each year, pursuant to the agreement of the Parties and applicable Oklahoma law regarding the payment of judgments by county governments and municipalities, and in accordance with **Schedule 1**, below. Post-judgment interest, as set out **Schedule 1**, below, will not begin to accrue on the remaining balance of the Judgment (*i.e.*, \$13,016,843.30) until January 1, 2025 with no penalty for early or pre-payment.

SCHEDULE 1

	Date of Payment/Installment	Post-Judgment Interest Rate
1st Payment/Installment	May 1, 2026	4.96% ¹
2nd Payment/Installment	May 1, 2027	4.96%
3rd Payment/Installment	May 1, 2028	4.96%

¹ This represents the post-judgment interest rate, pursuant to 28 U.S.C. § 1961, in effect on July 16, 2024.

4th Payment/Installment	May 1, 2029	6.00% ²
5th Payment/Installment	May 1, 2030	6.00%
6th Payment/Installment	May 1, 2031	6.00%
7th Payment/Installment	May 1, 2032	6.00%
8th Payment/Installment	May 1, 2033	6.00%
9th Payment/Installment	May 1, 2034	6.00%
10th Payment/Installment	May 1, 2035	6.00%

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Joint Motion to Approve Journal Entry of Judgment (Dkt. No. 83), is hereby **granted**. Judgment is hereby entered against Defendant in the amount of \$13,500,000.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that, in consideration of this consent judgment and the payments to be made hereunder, Plaintiff, on behalf of herself, the estate and the heirs, successors and assigns, release and forever discharge Releasees from any liability for the Released Claims as of the filing of this Journal Entry of Judgment Upon Agreed Settlement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that settlement of this case in the amount of Thirteen Million, Five Hundred Thousand Dollars (\$13,500,000.00) is inclusive of all attorney's fees, liens, pre judgment interest, and costs, and all medical, dental, doctor, chiropractic, mental health, attorney, hospital and health care provider liens.

IT IS FURTHER ORDERED ADJUDGED AND DECREED, that no liability has been admitted by or found against Defendant Chris Elliott, Sheriff of Wagoner County, the Board of

² This post-judgment interest rate, as agreed to by the Parties, is consistent with the provisions of 51 Okla. Stat. § 159(C).

County Commissioners of Wagoner County or Wagoner County, previously dismissed Defendants or any employees of the Sheriff's Office, and they have advised the Court they have consented to the entry of this Judgment and agreed to its terms in order to avoid the risk of further time, expense, and monetary exposure associated with this case.

IT IS FURTHER ACKNOWLEDGED AND AGREED, that \$483,156.70 has already been paid by ACCO-SIG to Plaintiff and Smolen & Roytman, PLLC.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Board of County Commissioners of Wagoner County will pay \$13,016,843.30 in ten equal annual installments plus post-judgment interest, pursuant to the agreement of the Parties, and in accordance with **Schedule 1**, above, with interest not beginning to accrue until January 1, 2025, with no penalty for early or pre-payment, to Plaintiff and the trust accounts of Smolen & Roytman, PLLC (or any successor thereof as directed by Daniel E. Smolen).

Upon payment of any portion of this Judgment to the Plaintiff and the trust accounts of Smolen & Roytman, PLLC (or any successor thereof as directed by Daniel E. Smolen), Releasees shall be released from any and all claims under this Judgment as to that portion of the Judgment paid to such trust accounts.

IT IS SO ORDERED this 19th day of November 2024.



RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA