

RESOLUTION NO. 988

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO A PROPOSED JOINT APPLICATION FOR APPROVAL OF SETTLEMENT AND A JOURNAL ENTRY OF JUDGMENT IN REGARD TO THE MATTER OF VICKY HIGH V. CITY OF BROKEN ARROW, ET AL., CASE NO. CJ-2012-03982 IN THE DISTRICT COURT FOR TULSA COUNTY, STATE OF OKLAHOMA AND DIRECTING THE CITY ATTORNEY TO PREPARE AND FILE THE NECESSARY DOCUMENTS TO EFFECTUATE SETTLEMENT, INCLUDING A JOURNAL ENTRY OF JUDGMENT FOR THE COURT'S APPROVAL, PURSUANT TO 51 O.S. § 158

WHEREAS, on July 27, 2012, Vicky High filed a Petition against the City of Broken Arrow and by virtue thereof alleged that a City of Broken Arrow employee, Barney Campbell, in the course and scope of his employment with the City of Broken Arrow collided with a vehicle that Vicky High was a passenger in on November 30, 2011; and

WHEREAS, after reviewing the facts in this matter, the Council has determined that settlement in this matter is proper in the sum of \$45,000.00; and

WHEREAS, City Council has determined that such resolution is a just and reasonable settlement; and

WHEREAS, it is the desire of the Council to approve such settlement agreement by authorizing the City Attorney to prepare and file all the necessary documents to settle this case, including a Journal Entry of Judgment which does not admit liability, but does represent a compromised settlement of the disputed claims.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be and is hereby directed to agree to entry of judgment without admitting liability in the case of Vicky High v. City of Broken Arrow, et al, Case No. CJ-2012-03982 and to execute any and all necessary documents to effectuate the settlement for the Court's approval pursuant to 51 O.S. § 158.

ADOPTED AND APPROVED by the Mayor of the Council of the City of Broken Arrow, Oklahoma, this 7th day of March, 2017

MAYOR

ATTEST:

(seal) City Clerk

APPROVED AS TO FORM:

Deputy City Attorney