

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
JOSEFA GODINEZ MERIDA AND ESTATE OF NOE ROJAS
AND THE CITY OF SAN DIEGO

WHEREAS, on February 6, 2009, Josefa Godinez Merida and Estate of Noe Rojas filed suit against the City of San Diego [City] alleging personal injuries arising from a wrongful death incident which occurred on February 10, 2007. Plaintiff brought suit in the United States District Court. The suit is entitled *Josefa Godinez Merida and Estate of Noe Rojas v. City of San Diego*, et al., United States District Court Case No 09cv0227 BEN (AJB) [Litigation]; and

WHEREAS, in Closed Session on November 30, 2010, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 6, 8; Nays, District(s) None; and absent, District(s) 5, 7, authorized settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth below; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$225,000 to be paid from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the Litigation.

2. The Comptroller to issue a check in the amount of \$225,000, payable to Josefa Godinez Merida and Estate of Noe Rojas and their attorney of record, Eugene Iredale.

APPROVED: JAN I. GOLDSMITH, City Attorney

By


Keith Phillips
Deputy City Attorney

KP:my

1/20/2011

Or.Dept: City Attorney

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _____

ELIZABETH S. MALAND

City Clerk

By _____
Deputy City Clerk

Approved: _____

(date)

JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor