

41-R-18

A RESOLUTION

**Authorizing the Settlement and Release of all Claims in
*Cnrkovic, et al. v. City of Evanston, et al.***

WHEREAS, Case No. 2014-L-004325 in the Circuit Court of Cook County, County Department, Law Division, concerns a personal injury lawsuit against the City and one of its employees in connection with a motor vehicle accident; and

WHEREAS, upon on May 30, 2018, Plaintiffs (residents of Cook County, Illinois) and their attorney and counsel for the Defendants participated in a voluntary mediation of this matter, which resulted in a tentative settlement; and

WHEREAS, the parties seek to settle and release all claims pursuant to the terms of a Release and Settlement Agreement (“Settlement Agreement”) negotiated by attorneys of record in this litigation;

WHEREAS, the City will pay Plaintiffs a settlement amount of approximately eight hundred and seventy-five thousand dollars (\$875,000.00) (“Settlement Payment”) pursuant to the terms of the Settlement Agreement; and

WHEREAS, pursuant to the terms of the Settlement Agreement, on May 30, 2018, Plaintiffs will obtain an order from the court dismissing with prejudice all claims brought against all Defendants in Case No. 2014-L-004325; and

WHEREAS, in compliance with Section 2(e) of the Open Meetings Act, 5 ILCS 120/2(e), the City must approve final action on settlement of this litigation in open session; and

WHEREAS, issuance of the City's Settlement Payment is not an admission of liability.

NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The City is hereby authorized to approve settlement with Plaintiffs and issue the City's Settlement Payment pursuant to the terms of the Settlement Agreement. The City's Settlement Payment is not an admission of liability.

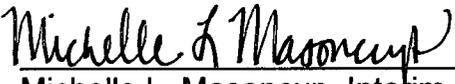
SECTION 2: Resolution 41-R-18 shall be in full force and effect from and after its passage and approval, in the manner provided by law.

Attest: 

Devon Reid, City Clerk



Stephen H. Hagerty, Mayor
Approved as to form:



Michelle L. Masoncup, Interim
Corporation Counsel

Adopted: June 18, 2018