

25-R-19

A RESOLUTION

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

WHEREAS, Case No. 2017-L-003216 in the Circuit Court of Cook County, County Department, Law Division, concerns a lawsuit against the City of Evanston and two of its employees involving allegations of willful and wanton misconduct; 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 Plaintiff a settlement amount of approximately one million two hundred and fifty thousand dollars (\$1,250,000.00) ("Settlement Payment") pursuant to the terms of the Settlement Agreement; and

WHEREAS, pursuant to the terms of the Settlement Agreement, Plaintiff will obtain an order from the court dismissing with prejudice all claims brought against Defendants in Case No. 2017-L-003216; 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

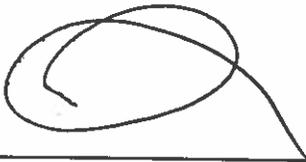
WHEREAS, issuance of the City's Settlement Payment is not an admission of liability,

**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 Plaintiff 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 25-R-19 shall be in full force and effect from and after its passage and approval, in the manner provided by law.

Attest:



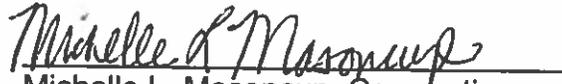
Devon Reid, City Clerk

Adopted: April 8th, 2019



Stephen H. Hagerty, Mayor

Approved as to form:



Michelle L. Masoncup, Corporation
Counsel