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**CITY OF RIVIERA BEACH – MEMORANDUM**

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**TO:** HON. MAYOR, CHAIRPERSON AND CITY COUNCIL

**THROUGH:** JONATHAN EVANS, CITY MANAGER, MPA, MBA, ICMA-CM

**FROM:** DAWN S. WYNN, CITY ATTORNEY

**SUBJECT:** **RESOLUTION TO SETTLE CLAIM OF ATTORNEY’S FEES AND COSTS IN CASE NO. 9:18-CV-81285, *LADI MARCH GOLDWIRE V. THE CITY OF RIVIERA BEACH***

**DATE:** SEPTEMBER 27, 2021

**CC:** GENERAL PUBLIC

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On August 5, 2021, a trial commenced in the United States District Court Southern District of Florida, Case No. 9:18-CV-81285, *Ladi March Goldwire* (hereinafter “Plaintiff”) v. *The City of Riviera Beach*.

On August 16, 2021, a Jury returned a Verdict in favor of the Plaintiff in the amount of Sixty Thousand Dollars (\$60,000.00) as to Count III of the Second Amended Complaint. This was the only Count the jury awarded in favor of the Plaintiff. The Court subsequently entered a Final Judgment in the Plaintiff’s favor on Count III.

On September 11, 2021, the parties negotiated and agreed to settle all of Plaintiff’s attorney’s fees and costs in the sum of Two Hundred Fifty Five Thousand Dollars (\$255,000.00).

Counsel for the City, representatives from the City’s insurance carrier and excess carrier, and Risk Management concur that settlement of the Plaintiff’s attorney’s fees and costs in the amount of Two Hundred Fifty Five Thousand Dollars (\$255,000.00) is in the City’s best interest, subject to City Council approval. The City’s insurance policy pays this settlement as well as the jury verdict of \$60,000.



**Citywide Goal:**

To provide quality, timely, cost-efficient, professional legal services and advice to support the goals and objectives of the City Council, the City Manager, and the City departments; and to advocate and defend the interests of the City within the bounds of the law.

**Budget/Fiscal Impact:**

The City's insurance policy pays this settlement.

**Recommendation(s):**

The Office of the City Attorney recommends it is in the best interests of the City to settle this claim for attorney's fees and costs.

**Attachment(s):**

1. Proposed Joint Stipulation for Entry of Order Deeming Defendant As Having Satisfied All of Plaintiff's Attorney's Fees and Costs As of October 6, 2021.