

County Council of Cuyahoga County, Ohio

Resolution No. R2022-0339

Sponsored by: County Executive Budish/Department of Law	A Resolution approving a proposed settlement in the matter of <u>Marie Moderwell vs. Cuyahoga County, Ohio <i>et al.</i></u> , United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-cv-00613-CAB; authorizing the County Executive and/or his designee to execute the settlement agreement and any related documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Marie Moderwell filed a civil action on behalf of the estate of Larry Johnson docketed as Marie Moderwell vs. Cuyahoga County, Ohio *et al.*, United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-cv-00613-CAB; and

WHEREAS, Marie Moderwell and the County of Cuyahoga, Ohio wish to fully and completely resolve with finality any and all alleged claims of whatever kind or nature that Marie Moderwell has or may have against the County of Cuyahoga; and

WHEREAS, the parties hereto have reached a settlement agreement that, if performed, will fully settle and resolve the matter; and

WHEREAS, Council, having been briefed about the facts and the history of the case, approves of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The Cuyahoga County Council hereby approves the settlement agreement with Plaintiff in the matter of Marie Moderwell vs. Cuyahoga County, Ohio *et al.*, United States District Court, Northern District of Ohio, Eastern Division, Case No. 1:19-cv-00613-CAB, in the total amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00), inclusive of all costs and attorneys' fees.

[Clerk's Note: Legislation Tabled at the request of the Law Department on September 28, 2022]

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