

RESOLUTION NO. 5112-12

A RESOLUTION APPROVING A SETTLEMENT IN FAIRCHILD V. CITY OF TUALATIN

WHEREAS in 2011, Marietta Fairchild filed a lawsuit against the City, Robinson Crossing II and Mashita's to recover damages for injuries she sustained when she slipped on a tree grate on the sidewalk on Boones Ferry Road by the side of Mashita's Teriyaki; and

WHEREAS after conducting discovery, the parties entered into mediation to resolve the matter and were able to reach an agreement to resolve all claims of the plaintiff and all claims the defendants may have been able to raise against each other; and

WHEREAS there is no admission of liability on the part of any party; and

WHEREAS the cost of going to trial would be in the \$15,000 range, not including attorney fees or any potential damages; and

WHEREAS, it is in the best interests of the City and the public to resolve this case without further delay. Now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The City Council authorizes the settlement of the Marietta Fairchild case, with the City's share being \$16,000 of the total settlement of \$26,000.

INTRODUCED AND ADOPTED this 23th day of July, 2012.

CITY OF TUALATIN, OREGON

BY 

Mayor

ATTEST:

BY 

City Recorder

APPROVED AS TO LEGAL FORM


CITY ATTORNEY

APPROVED BY TUALATIN CITY COUNCIL

Date 7-23-2012

Recording Secretary M. Smith

City Council Meeting

5112-12

Meeting

07/23/2012

Date:

CONSENT AGENDA

Resolution No. 5112-12 Approving a Settlement in Fairchild v. City of Tualatin

Attachments

A - Resolution