

May 22, 2013

WHEREAS, the lawsuit styled Edward Monton v. City of Dallas, Cause No. DC-11-15342-C, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries sustained in an automobile accident on September 2, 2010 involving a Dallas Police Department vehicle; and,

WHEREAS, the case was tried before a jury, which awarded Edward Monton the amount of \$25,497.49, and the judge thereafter entered a judgment awarding him court costs, pre-judgment and post-judgment interest for a total award of \$28,076.17; and,

WHEREAS, Medicaid asserted its subrogation interest in the total award in the amount of \$534.60; and,

WHEREAS, it is in the best interest of the City to pay the judgment; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That a portion of the judgment in the lawsuit, styled Edward Monton v. City of Dallas, Cause No. DC-11-15342-C, be paid to ~~Gary Fitzsimmons, Dallas County District Clerk, for the benefit of~~ Edward Monton and the Law Offices of Ben Abbott, P.C., in the amount of \$27,541.57, for alleged damages sustained by the plaintiff.

Section 2. That the remaining portion of the judgment in the lawsuit, styled Edward Monton v. City of Dallas, Cause No. DC-11-15342-C, be paid to TMHP/Medicaid, on behalf of Edward Monton, in the amount of \$534.60, for alleged damages sustained by the plaintiff.

Section 3. That the City Controller is authorized to pay to ~~Gary Fitzsimmons, Dallas County District Clerk, on behalf of Edward Monton, the amount of \$27,541.57~~ Edward Monton, the amount of \$10,697.77, no later than May 30, 2013, from Fund 0192, Agency ORM, Org. 3890, Obj. 3521, Vendor MVATT001.

Section 4. That the City Controller is authorized to pay to the Law Offices of Ben Abbott, P.C., the amount of \$16,843.80, no later than May 30, 2013, from Fund 0192, Agency ORM, Org. 3890, Obj. 3521, Vendor MVATT001.

Section 45. That the City Controller is authorized to pay to TMHP/Medicaid, on behalf of Edward Monton, the amount of \$534.60 no later than May 30, 2013, from Fund 0192, Agency ORM, Org. 3890, Obj. 3521, Vendor MVATT001.

Section 56. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

