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December 11, 2019

WHEREAS, a lawsuit styled Kevyn DeMartino v. The City of Dallas and USAA Insurance Agency, Inc., Cause No. DC-18-12970, was filed by the plaintiff, Kevyn DeMartino, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on January 26, 2017, involving a Sanitation Services Department vehicle; and

WHEREAS, the plaintiff has agreed to a proposed settlement of the case whereby the City will pay Kevyn DeMartino, Clark & McCrea, and all other persons having an interest in the settlement proceeds, the total amount of \$225,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit styled Kevyn DeMartino v. The City of Dallas and USAA Insurance Agency, Inc., Cause No. DC-18-12970, in an amount not to exceed \$225,000.00, is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Kevyn DeMartino, Clark & McCrea, and all other persons having an interest in the settlement proceeds, the amount of \$225,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

