

October 8, 2024

WHEREAS, a lawsuit styled Kerry Holmes and Zandra Holmes v. City of Dallas, Cause No. DC-23-07289 was filed by the plaintiffs, Kerry Holmes and Zandra Holmes, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on October 8, 2022, involving a Department of Public Works employee operating a city-owned vehicle; and

WHEREAS, the plaintiff, Kerry Holmes, has agreed to a proposed settlement of his claims whereby the City will pay Kerry Holmes, Leibowitz Law Group, P.L.L.C., and all other persons having an interest in the settlement proceeds, the total amount of \$37,500.00; and

WHEREAS, the plaintiff, Zandra Holmes, has agreed to a proposed settlement of her claims whereby the City will pay Zandra Holmes, Leibowitz Law Group, P.L.L.C., and all other persons having an interest in the settlement proceeds, the total amount of \$80,000.00; and

WHEREAS, it is in the City's best interest 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 claims filed by Kerry Holmes in the lawsuit, styled Kerry Holmes and Zandra Holmes v. City of Dallas, Cause No. DC-23-07289, in an amount not to exceed \$37,500.00 is hereby approved.

SECTION 2. That the proposed settlement of the claims filed by Zandra Holmes in the lawsuit, styled Kerry Holmes and Zandra Holmes v. City of Dallas, Cause No. DC-23-07289, in an amount not to exceed \$80,000.00 is hereby approved.

SECTION 3. That the Chief Financial Officer is hereby authorized to pay Kerry Holmes, Leibowitz Law Group, P.L.L.C., and all other persons having an interest in the settlement proceeds, the total amount of \$37,500.00 from the Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

SECTION 4. That the Chief Financial Officer is hereby authorized to pay Zandra Holmes, Leibowitz Law Group, P.L.L.C., and all other persons having an interest in the settlement proceeds, the total amount of \$80,000.00 from the Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

SECTION 5. 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.