

August 10, 2022

WHEREAS, a lawsuit styled Marilyn Cravens et al. v. City of Dallas, Cause No. CC-19-06797-C, was filed by the plaintiffs, Marilyn Cravens, Individually and as Independent Administratrix of the Estate of Kenrick Mistrot, Deceased, and Cole Mistrot, seeking compensation from the City of Dallas for the death of Kenrick Mistrot resulting from an automobile collision occurring on July 8, 2019, purportedly caused by a damaged guardrail. Richard Lee Andrews intervened in the lawsuit seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in the incident; and

WHEREAS, the plaintiffs have agreed to a proposed settlement of their claims whereby the City will pay Marilyn Cravens, Individually and as Independent Administratrix of the Estate of Kenrick Mistrot, Deceased, Cole Mistrot, and Frenkel & Frenkel, LLP, and all other persons having an interest in the settlement proceeds, the total amount of \$245,000.00; and

WHEREAS, the intervenor has agreed to a proposed settlement of his claim whereby the City will pay Richard Lee Andrews, Barry G. Hasten, PLLC, and all other persons having an interest in the settlement proceeds, the total amount of \$245,000.00; 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 claims filed by Marilyn Cravens, Individually and as Independent Administratrix of the Estate of Kenrick Mistrot, Deceased, and Cole Mistrot in the lawsuit styled Marilyn Cravens et al. v. City of Dallas, Cause No. CC-19-06797-C, in an amount not to exceed \$245,000.00 is hereby approved.

SECTION 2. That the proposed settlement of the claim filed by Richard Lee Andrews in the lawsuit styled Marilyn Cravens et al. v. City of Dallas, Cause No. CC-19-06797-C, in an amount not to exceed \$245,000.00 is hereby approved.

SECTION 3. That the Chief Financial Officer is hereby authorized to pay Marilyn Cravens, Individually and as Independent Administratrix of the Estate of Kenrick Mistrot, Deceased, Cole Mistrot, Frenkel & Frenkel, LLP, and all other persons having an interest in the settlement proceeds, the amount of \$245,000.00 from 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 Richard Lee Andrews, Barry G. Hasten, PLLC, and all other persons having an interest in the settlement proceeds, the amount of \$245,000.00 from Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

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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.