

June 12, 2024

WHEREAS, a lawsuit styled Terrance Cotton, Individually, and as Next friend of E.C., T.C., and T.C., Jr. v. the City of Dallas, Cause No. DC-20-11343 was filed by the plaintiff, Terrance Cotton, on behalf of himself and his three minor children seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on August 19, 2019, involving a Dallas Water Utilities employee operating a city-owned vehicle; and

WHEREAS, Plaintiffs' claims were tried before a jury on April 24 and 25, 2024, resulting in a verdict in favor of Plaintiffs; and

WHEREAS, the jury awarded Cotton \$286,515.20, which is reduced to \$250,000.00 pursuant to the limitations on damages provided by the Texas Civil Practice and Remedies Code; and

WHEREAS, the jury awarded E.C. \$1,366.00, T.C. \$1,727.00, and T.C., Jr. \$1,769.00; and

WHEREAS, the court assessed taxable court costs, prejudgment interest on the minor children's past damages at a rate of 8.5% from March 8, 2020, through the day before judgment is entered, and post-judgment interest on the total amounts awarded at a rate of 8.5% from the date the judgment is signed until paid; and

WHEREAS, it is in the City's best interest to pay the jury's verdict in favor of Terrance Cotton and minors E.C., T.C., and T.C., Jr.

Now, Therefore,

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

SECTION 1. That payment in satisfaction of the final judgment in the lawsuit styled Terrance Cotton, Individually, and as Next friend of E.C., T.C., and T.C., Jr. v. the City of Dallas, Cause No. DC-20-11343, in an amount not to exceed \$270,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Terrance Cotton, individually, and on behalf of his three minor children, E.C., T.C., and T.C., Jr., Witherite Law Group, PLLC, and all other persons having an interest in the judgment, a total amount not to exceed \$270,000.00 from the Liability Reserve Fund, Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor MVORM001.

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.