

November 11, 2020

WHEREAS, a lawsuit styled Javier Saenz v. Elvin Calix-Barahona, Cause No. 3:20-CV-1641-N, was filed by the plaintiff, Javier Saenz, seeking compensation from Dallas Police Department Officer Elvin Calix-Barahona for alleged bodily injuries and other damages sustained in an encounter on June 23, 2018, wherein Plaintiff alleges excessive force was used during his arrest; and

WHEREAS, the plaintiff has agreed to a proposed settlement of the case whereby the City, on behalf of Officer Elvin Calix-Barahona, will pay Javier Saenz, Scott H. Palmer, P.C., and all other persons having an interest in the settlement proceeds, the total amount of \$35,000.00; 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 Javier Saenz v. Elvin Calix-Barahona, Cause No. 3:20-CV-1641-N, in an amount not to exceed \$35,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Javier Saenz, Scott H. Palmer, P.C., and all other persons having an interest in the settlement proceeds, the amount of \$35,000.00 from 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.