



Legislation Details (With Text)

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File created: 2/8/2024 **In control:** City Attorney's Office

On agenda: 2/28/2024 **Final action:**

Title: Authorize partial settlement of the lawsuit styled Vicki Timpa, Individually and as Representative of the Estate of Anthony Timpa, and Cheryll Timpa, Individually and as Next Friend of K.T., a Minor Child v. Dustin Dillard, Danny Vasquez, Raymond Dominguez, Domingo Rivera, Kevin Mansell, Glenn Johnson, Criminal Investigative Unit, LLC, Civil Action No. 3:16-CV-03089-N - Not to exceed \$XXX \$2,500,000.00 - Financing: Liability Reserve Fund

Sponsors:

Indexes: 300

Code sections:

Attachments: 1. Resolution

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: February 28, 2024

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Tammy L. Palomino

SUBJECT

Authorize partial settlement of the lawsuit styled Vicki Timpa, Individually and as Representative of the Estate of Anthony Timpa, and Cheryll Timpa, Individually and as Next Friend of K.T., a Minor Child v. Dustin Dillard, Danny Vasquez, Raymond Dominguez, Domingo Rivera, Kevin Mansell, Glenn Johnson, Criminal Investigative Unit, LLC, Civil Action No. 3:16-CV-03089-N - Not to exceed ~~\$XXX~~ \$2,500,000.00 - Financing: Liability Reserve Fund

BACKGROUND

On August 10, 2016, four Dallas police officers responded to a disturbance in Dallas involving Anthony "Tony" Timpa. After a restraint, Mr. Timpa experienced a sudden cardiac episode and died in police custody. In November 2016, Mr. Timpa's parents, Vicki Timpa, individually and as representative of the estate of Tony Timpa, Joe Timpa, and Mr. Timpa's minor son, K.T., through his next friend, Cheryll Timpa, filed a civil rights lawsuit against the responding officers, alleging excessive deadly force and bystander liability.

The parties tried the case in September 2023, after which a jury assessed liability against one of the police officers and awarded damages solely to K.T. Following the trial, Vicki Timpa and K.T. filed post-trial motions requesting a new trial. The Court has not yet ruled on the motion or entered a final judgment. In January 2024, Vicki Timpa, individually and as representative of the estate of Tony Timpa, and K.T., through his next friend, Cheryll Timpa, agreed to a proposed settlement of their claims for ~~\$\$\$~~ \$2,500,000.00, subject to City Council approval. Geoff J. Henley and Henley & Henley, P.C. represent Vicki Timpa and K.T.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Attorney briefed the City Council in executive session on June 21, 2023, October 11, 2023, and December 6, 2023, and by confidential memorandum on February 16, 2024.

FISCAL INFORMATION

Fund	FY 2024	FY 2025	Future Years
Liability Reserve Fund	\$\$\$ <u>\$2,500,000.00</u>	\$0.00	\$0.00