



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: GID-1314-20**

**File ID:** GID-1314-20

**Type:** Settlement

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 32

**In Control:** City Council

**Department:** Legal Department

**Cost:** \$28,000.00

**File Created:** 07/31/2013

**File Name:** Hodge vs. Keene, et al.

**Final Action:**

**Title:** CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT IN THE AMOUNT OF \$28,000 IN HODGE V. KEENE, ET AT., UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA CASE NO. CJ-2010-1283D.

**Notes:** ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's office to effectuate the settlement in the amount of \$28,000.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 08/13/2013

**Agenda Number:** 32

### Attachments:

**Project Manager:** Rick Knighton, Assistant City Attorney

**Entered by:** denise.johnson@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

### Text of Legislative File GID-1314-20

Body

**BACKGROUND:** This lawsuit was brought by Franklin Carl Hodge seeking damages as a result of a shooting incident on December 18, 2009. The case has proceeded through the normal litigation process and is currently at the 10th Circuit of Appeals for adjudication. Through negotiations to settle this lawsuit, Mr. Hodge offered to settle his case for \$28,000. Because this matter involves pending litigation, the merits were discussed during Executive Sessions on April 23, 2013 and July 16, 2013.

**RECOMMENDATION:** It is believed the proposed settlement is fair, reasonable and in the best interest of the City. It is recommended the settlement of this matter be approved by City Council and the Legal staff be authorized to finalize the settlement. If approved, the City Attorney's office will reduce the settlement amount to judgment in accordance with 51 O.S. §159 and 62 O.S. §362. The settlement amount will then be placed on the property tax rolls for collection over the next three years.