

March 6, 2006

Date

WHEREAS, Joseph Case, by and through his attorney, Larry Krpan, has made a demand against the City of Des Moines claiming damages relating to and arising out of his employment with the City of Des Moines, as a result of injuries to his left shoulder, occurring on or about June 5, 2003, which eventually required surgery; and

WHEREAS, the claimant incurred these injuries within the course and scope of his employment; and

WHEREAS, it is the opinion of the Legal Department that the settlement of the lawsuit would be in the best interest in the City of Des Moines; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That payment in the amount of \$26,900.00 be made, and is hereby approved, to Joseph Case and his attorney, Larry Krpan, in return for a full and complete closed-file settlement, and funding of any Medicare set-aside by Mr. Case, and upon approval of the same by the Workers' Compensation Commissioner, the Finance Director is authorized and directed to draw a warrant accordingly.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT

Thomas J. Clarke, Jr.
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk