

Date September 26, 2011

WHEREAS, Octavius Bonds and Erin Evans have sued the City and two of its former police officers; and

WHEREAS, it would be in the best interest of the City to settle the lawsuit; and

WHEREAS, the Plaintiffs have agreed to settle the lawsuit in return for \$500,000.00, one-half payable on or before October 7th of this year, and the other half payable between July 1 and July 15 of 2012; NOW, THEREFORE,

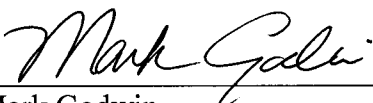
BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That the Legal Department be and is hereby directed to settle the lawsuit brought by Octavius Bonds and Erin Evans for the sums indicated above, and in return will receive a full and complete release, dismissal of the pending lawsuit, and a covenant not to sue.

BE IT FURTHER RESOLVED:

That the Finance Department is authorized to draw checks in the amounts above, payable as directed by the Legal Department, under Fund Codes 529410 GE001 POL100100.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT



 Mark Godwin
 Deputy City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|----------|------|--------|
| COWNIE | | | | |
| COLEMAN | | | | |
| GRIESS | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| MEYER | | | | |
| MOORE | | | | |
| TOTAL | | | | |
| MOTION CARRIED | | APPROVED | | |
| _____ Mayor | | | | |

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.

_____ City Clerk