



Legislation Details (With Text)

File #: O-514-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 9/26/2022 **In control:** Law Department
On agenda: 10/11/2022 **Final action:** 10/11/2022
Title: Authorizing the settlement of the lawsuit of Ernest Jackson, Administrator of the Estate of Dorian Crawley and Medicaid v. City of Toledo in Case No. CI 20-2088 pending in the Lucas County Common Pleas Court before the Honorable Eric Marks for the total sum of \$30,000 in settlement of the claims of Plaintiff Estate; and authorizing the expenditure of \$30,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: City Council 10/11/2022, 2. Audio: Agenda Review 10/4/2022

Date	Ver.	Action By	Action	Result
10/11/2022	1	City Council	Suspension	Pass
10/11/2022	1	City Council	Emergency	Pass
10/11/2022	1	City Council	Passage	Pass

Crawley, Dorian- Estate of
Department of Law
T. Mohler (x2408)
Revised

Authorizing the settlement of the lawsuit of Ernest Jackson, Administrator of the Estate of Dorian Crawley and Medicaid v. City of Toledo in Case No. CI 20-2088 pending in the Lucas County Common Pleas Court before the Honorable Eric Marks for the total sum of \$30,000 in settlement of the claims of Plaintiff Estate; and authorizing the expenditure of \$30,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Mr. Crawley filed a lawsuit in Lucas County Common Pleas Court on May 4, 2020 alleging injury as a result of a cab he was a passenger in going into a sinkhole on Kenilworth Ave. here in Toledo, Lucas County, Ohio. When he died on May 9, 2022, his Estate was substituted as Plaintiff.

A proposed agreement has been reached in the amount of \$30,000 to settle all claims stemming from the incident described above without constituting an admission of liability for any violation of state law.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That payment of \$30,000 in settlement of the claims in Case No. CI 20-2088 captioned *Ernest Jackson, Administrator of the Estate of Dorian Crawley and Medicaid* against the City of Toledo is approved for expenditure from the Risk Management Fund Account Code 7095-12000-1157001STDSTD.

SECTION 2. That payment of these claims is contingent upon the execution of a proper release.

SECTION 3. That the Director of Finance is authorized to draw their warrant or warrants to Ernest Jackson, Administrator of the Estate of Dorian Crawley and the law offices of Ogelsby & Ogelsby Ltd., in the amount of \$30,000 from the above Account Code upon presentation of the proper vouchers therefore.

SECTION 4. That this ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for this emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this ordinance must be immediately effective in order to implement the settlement in accordance with the conditional agreement of the administrator.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council