



Legislation Text

File #: O-298-20, **Version:** 1

Rose, Alan
Department of Law
J. Charles (x1038)
(Revised)

Authorizing the settlement of the claims of Alan Rose in case no. 3:18CV01645 captioned *Rose. v. City of Toledo* pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Carr; authorizing the expenditure of \$67,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Alan Rose, as Plaintiff, filed a lawsuit in the United States District Court, Northern District of Ohio, in 2018 alleging he was the victim of age discrimination. After receiving a court ruling in favor of the Plaintiff on this issue, a proposed agreement has been reached in the amount of \$67,000 as to all claims resulting from the incidents described in the lawsuit without constituting an admission of liability for any violation of state or federal law. As part of the settlement the City has agreed to hire Mr. Rose into a position with the City which he previously held before retirement.

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

SECTION 1. That the settlement of the claims by Alan Rose against the City of Toledo including the offer of re-employment are approved.

SECTION 2. That an expenditure in the amount of \$67,000 is authorized from the Risk Management Fund, Account Code 7095-12000-1157001STDSTD, for the purpose identified in Section 1.

SECTION 3. That payment of this claim and the offer of employment is contingent upon the execution of the proper release by the claimant.

SECTION 4. That the Director of Finance is authorized to draw his warrant or warrants against the account code listed in Section 2 in an amount not to exceed \$67,000 to Alan Rose and his attorney Adam Taub upon presentation of the proper vouchers.

SECTION 5. That this Ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for the 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 settlement agreement.

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