

# **City of Scottsbluff, Nebraska**

**Monday, September 16, 2013**

**Regular Meeting**

## **Item Reports3**

**Council to acknowledge receipt of the Settlement Agreement for the case of Gonzalez v. City of Scottsbluff.**

**Staff Contact: Rick Kuckkahn, City Manager**



308-632-4136  
2525 Circle Drive  
Scottsbluff, NE 69361

**TO:** Cindy Dickinson  
City Clerk

**FROM:** Howard Olsen  
City Attorney

**DATE:** September 11, 2013

**RE:** Gonzalez Settlement  
For attachment to the Agenda materials

This claim arose on July 31, 2009, from a collision between a police vehicle owned by the City of Scottsbluff and the Gonzalez vehicle. As a result of the collision, members of the Gonzalez family were injured.



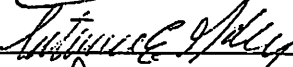
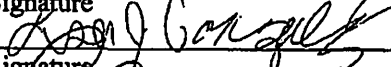
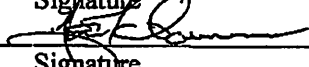
## Settlement Agreement

Plaintiffs' counsel's Tax ID # 47-0710342

Case Name: Gonzalez v. City of Scottsbluff

- 1) Defendant to pay \$ 250,000 after the City's approval of the release and stipulation for dismissal but no later than September 19, 2013. The City's check shall be made payable to Plaintiffs and Plaintiffs' attorney.
- 2) If the above sum is not paid this agreement may be made an order of the court.
- 3) There is to be a release with a dismissal with prejudice of any and all claims against Defendant.
- 4) Plaintiffs will indemnify the Defendant and hold it harmless with regard to liens or subrogation claims asserted by any health care insurance carriers and/or providers and Medicaid.
- 5) Special Terms & Conditions:
  - A - Plaintiffs represent that the Medicaid lien is for Michael's past treatment and that no further treatment is anticipated.
  - B- This parties understand that the City must formally approve this settlement and that the Probate Court or Trial Court must approve Michael's settlement.
  - C- This is a settlement of the claims of Saturmino Gonzalez, Lisa Gonzalez and Michael Gonzalez and the Plaintiffs reserve the right to allocate the settlement between them.
  - D- Defendant shall pay Plaintiffs' cost of mediation.

Formal Documents are to be prepared by Defense Counsel within 10 days. This Settlement Agreement was prepared by or at the direction of counsel for the undersigned parties and reviewed by the parties. The parties to this agreement intend to be bound by its terms.

Michael Nolan		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date
James Ellison		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date
Saturmino Gonzalez		Plaintiff	9-3-13
Print Name	Signature	Defendant	Date
Lisa J. Gonzalez		Plaintiff	9-3-13
Print Name	Signature	Defendant	Date
John Sorenson		Plaintiff	9/3/2013
Print Name	Signature	Defendant	Date



CONFLICT RESOLUTION SERVICES, INC