



### Albuquerque, New Mexico Office of the Mayor

Mayor Timothy M. Keller

#### INTER-OFFICE MEMORANDUM

DATE: 08/31/2022

TO:

Isaac Benton, President, City Council

FROM:

Timothy M. Keller, Mayor

SUBJECT: Legal Department's Quarterly Litigation Report for the 4th Quarter of FY 2022

(Greater than 10,000)

Submitted herewith to City Council is the Legal Department's Quarterly Litigation Report for the 4th Quarter of FY 2022 (Greater than \$10,000) as required pursuant to R.O.A. §2-8-1-5.

I request that the Quarterly Litigation Reports be presented to City Council for information.

TITLE/SUBJECT OF LITIGATION: Legal Department's Quarterly Litigation Report for the 4<sup>th</sup> Quarter of FY 2022 (Greater than 10,000)

Approved

Lawrence Rael

Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:

9/6/2022 | 8:41 AM MDT

Date

City Attorney

#### **Cover Analysis**

#### 1. What is it?

Legal Department's Quarterly Litigation Report for the **4th** Quarter of **FY 2022** (greater than 10,000)

#### 2. What will this piece of legislation do?

The purpose of the reports are to inform the City Council of litigation developments, i.e., City victories, settlements and judgments during the above-listed period pursuant to R.O.A. §2-8-1-5.

#### 3. Why is this project needed?

See answer 2 above.

4. How much will it cost and what is the funding source?

N/A.

5. Is there a revenue source associated with this Plan? If so, what level of income is projected?

N/A.

6. What will happen if the project is not approved?

N/A

7. Is this service already provided by another entity?

N/A

# LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT CITY VICTORIES

April 1, 2022 to June 30, 2022 4<sup>th</sup> Quarter FY22

Case Name: Sabeerin, Boback, Michelle Roybal, J.R., S.S. v. Albuquerque Police Department, et al.; 1-16-CV-00497 SCY/LF				
LIT-Civil Rights and Tort Claims	Plaintiff alleged unlawful search and seizure, false arrest,	Mandate issued affirming		
Division / Attorney:	false imprisonment, abuse of process, due process, loss of	District Court Judgment.		
Litigation/Kristin J. Dalton	consortium.	-		
Matter ID Outside Counsel				
10.825				

## LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT SETTLEMENTS AND JUDGMENTS GREATER THAN \$10,000.00

April 1, 2022 to June 30, 2022 4<sup>th</sup> Quarter FY22

Case Name: Sena, Leola v. Ci Type of Suit:	Synopsis of Case	Disposition	Amount Paid
LIT-Employment/Discrimination	Complaint alleged discrimination and retaliation on	Settled	\$17,500.00
Division / Attorney:	the basis of age and disability.		
Litigation/EMP			
Matter ID Outside Counsel			
22.067 Andrea Robeda			
Case Name: Ford, Terry v. Ci	ity of Albuquerque and Lorenzo J. Pino; D-202-	CV-2021-01637	
Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid
LIT-Tort/Personal Injury/MVA	Plaintiff alleged personal injuries following a bicycle	Settled	\$27,500.00
Division / Attorney:	versus City bus motor vehicle collision.		
Litigation/Aaron Holloman			
Motton ID Outside Coursel			
12.391			
12.391 Case Name: In the Matter of	the Estate of Manuel Martin Tapia, Deceased ca	nptioned as McD	Oonald et. al v. Ramirez et. a
12.391 Case Name: In the Matter of D-202-CV-2019-06610	• /		Oonald et. al v. Ramirez et. a
12.391  Case Name: In the Matter of the D-202-CV-2019-06610  Type of Suit:	Synopsis of Case	<u>Disposition</u>	Amount Paid
12.391 Case Name: In the Matter of D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD	Synopsis of Case Plaintiffs claimed damages for minor child's death	<b>Disposition</b> Settled	
12.391 Case Name: In the Matter of the D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD Division / Attorney:	Synopsis of Case	<b>Disposition</b> Settled	Amount Paid
12.391 Case Name: In the Matter of the D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD Division / Attorney: Litigation/Stephanie M. Griffin	Synopsis of Case Plaintiffs claimed damages for minor child's death	<b>Disposition</b> Settled	Amount Paid
12.391 Case Name: In the Matter of D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD Division / Attorney: Litigation/Stephanie M. Griffin Matter ID Outside Counsel	Synopsis of Case Plaintiffs claimed damages for minor child's death	<b>Disposition</b> Settled	Amount Paid
12.391  Case Name: In the Matter of D-202-CV-2019-06610  Type of Suit:  LIT-Civil Rights/APD  Division / Attorney:  Litigation/Stephanie M. Griffin  Matter ID Outside Counsel  10.1041	Synopsis of Case  Plaintiffs claimed damages for minor child's death after being hit by a vehicle involved in a police pursu	Disposition Settled it.	Amount Paid
12.391 Case Name: In the Matter of D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD Division / Attorney: Litigation/Stephanie M. Griffin Matter ID Outside Counsel 10.1041 Case Name: Kimbrough, Mor	Synopsis of Case  Plaintiffs claimed damages for minor child's death after being hit by a vehicle involved in a police pursuance of the control of the contr	Disposition Settled it.	Amount Paid \$750,000.00
12.391 Case Name: In the Matter of a D-202-CV-2019-06610 Type of Suit: LIT-Civil Rights/APD Division / Attorney: Litigation/Stephanie M. Griffin Matter ID Outside Counsel 10.1041 Case Name: Kimbrough, Mon	Synopsis of Case  Plaintiffs claimed damages for minor child's death after being hit by a vehicle involved in a police pursur- nica v. City of Albuquerque, et al.; D-202-CV-20 Synopsis of Case	Disposition Settled it.  20-02741 Disposition	Amount Paid \$750,000.00
Case Name: In the Matter of D-202-CV-2019-06610  Type of Suit:  LIT-Civil Rights/APD Division / Attorney:  Litigation/Stephanie M. Griffin Matter ID Outside Counsel 10.1041  Case Name: Kimbrough, Mor Type of Suit:  LIT-Tort/Personal Injury/MVA	Synopsis of Case  Plaintiffs claimed damages for minor child's death after being hit by a vehicle involved in a police pursu  nica v. City of Albuquerque, et al.; D-202-CV-20  Synopsis of Case  Plaintiff alleged personal injuries following a	Disposition Settled it.	Amount Paid \$750,000.00
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12.391  Case Name: In the Matter of D-202-CV-2019-06610  Type of Suit:  LIT-Civil Rights/APD  Division / Attorney:  Litigation/Stephanie M. Griffin  Matter ID Outside Counsel  10.1041	Synopsis of Case  Plaintiffs claimed damages for minor child's death after being hit by a vehicle involved in a police pursu  nica v. City of Albuquerque, et al.; D-202-CV-20  Synopsis of Case  Plaintiff alleged personal injuries following a	Disposition Settled it.  20-02741 Disposition	Amount Paid \$750,000.00

Case Name: Lopez, Leonard	v. Elaine Manzanares and City of Albuquerque;	D-202-CV-2021-0	5634	
Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid	
LIT-Tort/Personal Injury/MVA	Plaintiff alleged personal injury following MVA	Settled	\$27,500.00	
Division / Attorney:	involving Transit bus.			
Litigation/Ashlee M. Wright				
Matter ID Outside Counsel				
12.403				
Case Name: Martinez, Derrick v. City of Albuquerque and Ethan Watson; D-202-CV-2022-00674				
Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid	
LIT-IPRA	Plaintiff alleged damages pursuant to IPRA.	Settled	\$55,000.00	
<b>Division / Attorney:</b>				
Litigation/Kristin J. Dalton				
Matter ID Outside Counsel				
10.1413				
Case Name: Meyers, Kristine v. City of Albuquerque, et al.; D-202-CV-2020-05700				
Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid	
	Plaintiff alleged personal injuries following a trip	Settled	\$10,000.00	
Liab.	and fall incident.			
Division / Attorney:				
Litigation/Aaron Holloman				
Matter ID Outside Counsel				
11.348				
Case Name: Michael Burk, and Randy Sanchez v. City of Albuquerque; D-202-CV-2019-04003				
Type of Suit:	Synopsis of Case	Disposition	Amount Paid	
LIT-Employment/Discrimination	Complaint for civil damages alleging violation of the	Settled	\$50,000.00	
Division / Attorney:	NM Human Rights Act and the NM Whistleblower			
Litigation/EMP/	Protection Act.			
Edward J. Pennington				
Matter ID Outside Counsel				
11.297				

Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid
LIT-Employment/Discrimination	Complaint for civil damages.	Settled	\$25,000.00
Division / Attorney:			
Litigation/EMP/			
Edward J. Pennington			
Matter ID Outside Counsel			
11.362			
Case Name: Rubi, Mary D., v	v. City of Albuquerque and John Doe(s); D-202-	CV-2021-04741	
Type of Suit:	Synopsis of Case	Disposition	Amount Paid
LIT-Tort/Personal Injury	Plaintiff alleges personal injuries she claims	Settled	\$350,000.00
Division / Attorney:	occurred while she was exiting a City bus.		
Litigation/Kristin J. Dalton			
Matter ID Outside Counsel			
12.396			
Case Name: Stephanie Chave	ez, v. City of Albuquerque; D-202-CV-2020-0509	96	
Type of Suit:	Synopsis of Case	Disposition	Amount Paid
LIT-Employment/Civil Rights/	Complaint alleging medical condition/disability-	Settled	\$10,000.00
Title VII	based discrimination.		
Division / Attorney:			
Litigation/EMP/			
Edward J. Pennington			
Matter ID Outside Counsel			
10.1173			
	fer v. Virginian Apartments, L.L.C., The Jack ${f S}$	Stahl Company, 1	L.L.C., & The City of
Albuquerque; D-202-CV-201	6-06142		
		T) 141	A 4 D • I
Type of Suit:	Synopsis of Case	<b>Disposition</b>	Amount Paid
Type of Suit: LIT-Tort/Personal Injury	Synopsis of Case Plaintiff claimed injuries after tripping and falling on		**************************************
Type of Suit: LIT-Tort/Personal Injury Division / Attorney:			
Type of Suit:  LIT-Tort/Personal Injury  Division / Attorney:  Litigation/Kristin J. Dalton	Plaintiff claimed injuries after tripping and falling on		
Type of Suit:  LIT-Tort/Personal Injury  Division / Attorney:  Litigation/Kristin J. Dalton  Matter ID Outside Counsel  11.229	Plaintiff claimed injuries after tripping and falling on		