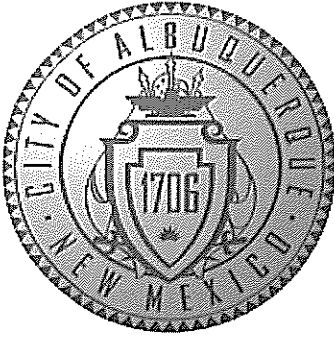


EC-26-63



CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

2/17/2026

TO: Klarissa J. Pena, President, City Council

FROM: Timothy M. Keller, Mayor



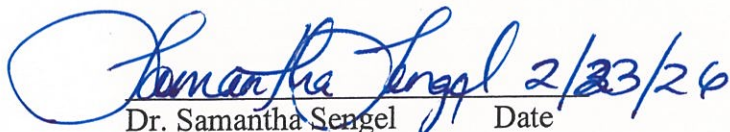
SUBJECT: Legal Department's Quarterly Litigation Report for the 2nd Quarter of FY 2025
(Greater than 10,000)

Submitted herewith to City Council is the Legal Department's Quarterly Litigation Report for the 2nd Quarter of FY 2025 (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
2nd Quarter of FY 2025 (Greater than 10,000)

Approved:

 2/23/26

Dr. Samantha Sengel Date
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:
 2/18/2026 | 8:25 AM MST
Lauren Keefe Date
City Attorney

Cover Analysis

1. What is it?

Legal Department's Quarterly Litigation Report for the **2nd** Quarter of **FY 2025** (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
SETTLEMENTS AND JUDGMENTS GREATER THAN \$10,000**

October 1, 2024 to December 31, 2024

2nd Quarter FY25

Case Name: Briones, Bonnie v. City of Albuquerque; D-202-CV-2021-05537			
<u>Type of Suit:</u> LIT-Employment NM Human Rights Act	<u>Synopsis of Case</u> Claim for Violations of NM Human Rights Act and NM Whistleblower Protection Act based on alleged sex discrimination.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$135,000.00
<u>Division / Attorney:</u> Litigation / Catherine Gonzalez			
<u>Matter ID / Outside Counsel</u> 10.1338 Patricia G. Williams			
<u>Department-Client:</u> Police			
Case Name: Aguilar, Hipolito J., v. City of Albuquerque, et al.; D-202-CV-2022-06347			
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab.	<u>Synopsis of Case</u> Claim for damages arising from a trip and fall incident at Eagle Rock Convenience Center.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$400,000.00
<u>Division / Attorney:</u> Litigation / Ashlee M. Wright			
<u>Matter ID / Outside Counsel</u> 17.182			
<u>Department-Client:</u> Solid Waste Management			
Case Name: Ramos, Antonio v. City of Albuquerque, et al.; D-202-CV-2022-01823			
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab.	<u>Synopsis of Case</u> Claim for damages after sidewalk gave way.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$50,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u> 11.402 Sean E. Garrett			
<u>Department-Client:</u> Municipal Development			

Case Name: Baca, Salomon v. City of Albuquerque; D-202-CV-2024-07030			
<u>Type of Suit:</u> LIT-IPRA	<u>Synopsis of Case</u> Claim for violation of IPRA.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$15,000.00
<u>Division / Attorney:</u> Litigation / Ashlee M. Wright <u>Matter ID / Outside Counsel</u> 45.092 <u>Department-Client:</u> City Clerk			
Case Name: Burstein, Mara Elana - Complaint for Damages and Notice of Appeal. D-202-CV-2023-02103			
<u>Type of Suit</u> LIT-Employment/WPA	<u>Synopsis of Case</u> Claim for violation of the NM Human Rights Act and NM Whistleblower Protection Act.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$275,000.00
<u>Division / Attorney:</u> Litigation / Catherine Gonzalez <u>Matter ID / Outside Counsel</u> 14.036 <u>Department-Client:</u> Environmental Health			
	Plaintiff alleged that she was discriminated against due to her sex and race. She also alleges that the City failed to accommodate her and retaliated against her because of a serious medical condition. She also alleges that she blew the whistle on improper legal advice that she refused to take.		
Case Name: Carrillo, Destinee Jacklyn v. City of Albuquerque Police Department; D-202-CV-2024-03125			
<u>Type of Suit:</u> LIT-IPRA	<u>Synopsis of Case</u> Claim for violation of IPRA.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$15,000.00
<u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 45.084 <u>Department-Client:</u> City Clerk			

Case Name: Dessouky, Shimaa v. City of Albuquerque; D-202-CV-2023-09092			
<u>Type of Suit:</u> LIT-Tort/Personal Injury/MVA	<u>Synopsis of Case</u> Claim for damages following a motor vehicle accident.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$100,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u> 40.014 Katrina Bagley Brown			
<u>Department-Client:</u> General Services			
Case Name: Gallegos, Ronald v. City of Albuquerque; D-202-CV-2022-05514			
<u>Type of Suit:</u> LIT-Tort/Personal Injury/MVA	<u>Synopsis of Case</u> Claim for damages following a motor vehicle accident involving a City bus.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$40,000.00
<u>Division / Attorney:</u> Litigation / Ashlee M. Wright			
<u>Matter ID / Outside Counsel</u> 12.417			
<u>Department-Client:</u> Transit			
Case Name: Lucero, Carlos v. City of Albuquerque, et al.; D-202-CV-2022-06598			
<u>Type of Suit:</u> LIT-Civil Rights and Tort Claims	<u>Synopsis of Case</u> Claim for excessive force.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$10,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u> 10.1320			
<u>Department-Client:</u> Police			

Case Name: Martinez, Anna (PR), et al., v. City of Albuquerque, et al.; D-202-CV-2021-04679			
<u>Type of Suit:</u> LIT-Tort/Wrongful Death/Premises Liab.	<u>Synopsis of Case</u> Claim for wrongful death due to premises liability.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$200,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 11.379 Deborah Wells <u>Department-Client:</u> Municipal Development			
Case Name: Moya, Monica v. City; Alleged Violation of the Whistleblower Protection Act. D-202-CV-2023-04329			
<u>Type of Suit:</u> LIT-Employment/WPA	<u>Synopsis of Case</u> Claim for retaliation under the NM Whistleblower Protection Act. Plaintiff alleged that she was suspended and forced to retire for communicating regarding APD's response to calls for service in a timely manner.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$50,000.00
<u>Division / Attorney:</u> Litigation / Catherine Gonzalez <u>Matter ID / Outside Counsel</u> 10.1505 Andrea Robeda <u>Department-Client:</u> Police			
Case Name: Moreno, James and Lydia Moreno v. Albuquerque Police Department et al., D-202-CV-2018-05444			
<u>Type of Suit:</u> LIT-Tort/Personal Injury	<u>Synopsis of Case</u> Claim for damages resulting from an automobile accident involving a suspect fleeing from APD in a vehicle.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$90,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 10.974 Jonlyn Martinez <u>Department-Client:</u> Police			

Case Name: Murphy, Dennis (PR) for the Estate of Daniel Humphrey and Lorraine Ware as the PR of the Estate of Sonia Tenorio and Cynthia Humphrey v. City of Albuquerque, et al.; D-202-CV-2022-06680			
<u>Type of Suit:</u> LIT-Tort/Wrongful Death <u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 10.1465 <u>Department-Client:</u> Police	<u>Synopsis of Case</u> Claim for wrongful death based on failure to investigate prior activity involving the decedents' neighbor.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$850,000.00
Case Name: Naranjo, Kyanna v. City of Albuquerque; D-202-CV-2023-03910			
<u>Type of Suit:</u> LIT-IPRA <u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 45.052 <u>Department-Client:</u> City Clerk	<u>Synopsis of Case</u> Claim for violation of IPRA.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$32,500.00
Case Name: Patscheck Law, P.C. v. Ethan Watson, Records Custodian for the City of Albuquerque; D-202-CV-2024-07890			
<u>Type of Suit:</u> LIT-IPRA <u>Division / Attorney:</u> Litigation / Ashlee M. Wright <u>Matter ID / Outside Counsel</u> 45.097 <u>Department-Client:</u> City Clerk	<u>Synopsis of Case</u> Claim for violation of IPRA.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$10,000.00

Case Name: Pruitt, Lydia and Adam Pruitt v. Vincent Padilla and City of Albuquerque; D-202-CV-2023-03781			
<u>Type of Suit:</u> LIT-Tort/Personal Injury/MVA <u>Division / Attorney:</u> Litigation/ Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 10.1506 Katrina Bagley Brown <u>Department-Client:</u> Police	<u>Synopsis of Case</u> Claim for damages following a motor vehicle accident.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$150,000.00
Case Name: Valdez, Gabrielle, in her capacity as Wrongful Death PR of the Estate of Pronoy Bhattacharya, et al., v. New Mexico BioPark Society, Inc., et al.; D-202-CV-2023-07460			
<u>Type of Suit:</u> LIT-Tort/Wrongful Death <u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 33.085 <u>Department-Client:</u> Cultural Services	<u>Synopsis of Case</u> Claim for wrongful death following a hit and run incident that occurred at the River of Lights.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$771,944.29
Case Name: Wilson, Brian v. Ethan Watson, Records Custodian for the City of Albuquerque; D-202-CV-2024-05809			
<u>Type of Suit:</u> LIT-IPRA <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 45.091 <u>Department-Client:</u> City Clerk	<u>Synopsis of Case</u> Claim for violation of IPRA.	<u>Disposition</u> Settled.	<u>Amount Paid</u> \$30,000.00
Total Amount for October 1, 2024 to December 31, 2024: \$3,224,444.29			

**LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT
CITY VICTORIES**

October 1, 2024 to December 31, 2024

2nd Quarter FY25

Case Name: Baca, Maxine v. Santa Monica Place Development, LLC, et al.; D-202-CV-2022-03573		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab. <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 11.406 Sean E. Garrett <u>Department-Client:</u> Municipal Development	<u>Synopsis of Case</u> Claim for damages following a trip and fall.	<u>Disposition</u> Settled – No settlement proceeds paid by City, proceeds paid by tendered party Santa Monica Estates Homeowner's Association.
Case Name: Diaz, Mackenzie v. Tasha and Jesus Villegas, et al.; D-202-CV-2022-00972		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab. <u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 11.398 Sean E. Garrett <u>Department-Client:</u> Municipal Development	<u>Synopsis of Case</u> Claim for damages after Plaintiff tripped over a water meter cover on a sidewalk.	<u>Disposition</u> Tendered – Matter resolved by responsible parties with no settlement proceeds paid by the City.

Case Name: Gutierrez, Maria v. City of Albuquerque, et al.; D-202-CV-2023-05759		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab. <u>Division / Attorney:</u> Litigation / Ashlee M. Wright <u>Matter ID / Outside Counsel</u> 11.436 <u>Department-Client:</u> Municipal Development	<u>Synopsis of Case</u> Claim for damages following a trip and fall in a construction zone.	<u>Disposition</u> Global settlement reached with no funds paid by City.
Case Name: House, Darrell B., v. National Park Service, et al.; 1:22-cv-970-SCY-KK		
<u>Type of Suit:</u> LIT-Civil Rights and Tort Claims <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 13.122 <u>Department-Client:</u> Parks & Recreation	<u>Synopsis of Case</u> Claim for rights violations and damages following an incident involving National Park Services rangers.	<u>Disposition</u> Voluntarily dismissed by Plaintiff.
Case Name: McClean, Carole v. Christopher Brown, et al.; D-202-CV-2021-03225		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab. <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 11.369 <u>Department-Client:</u> Municipal Development	<u>Synopsis of Case</u> Claim for damages following a trip and fall.	<u>Disposition</u> Settled by tendered counsel, with no contribution from City.

Case Name: McConaghy, Luke Rogers v. City of Albuquerque Police Department; D-202-CV-2024-02580		
<u>Type of Suit:</u> LIT-Tort/Battery <u>Division / Attorney:</u> Litigation / Tyren C. Holmes <u>Matter ID / Outside Counsel</u> 10.1595 <u>Department-Client:</u> Police	<u>Synopsis of Case</u> Claim for damages following an arrest by APD.	<u>Disposition</u> Dismissed for lack of notice and pleading deficiencies.
Case Name: Montano, Denisha v. Bernalillo County, et al.; D-202-CV-2024-03126		
<u>Type of Suit:</u> LIT-Civil Rights/APD <u>Division / Attorney:</u> Litigation/ Tyren C. Holmes <u>Matter ID / Outside Counsel</u> 10.1603 <u>Department-Client:</u> Police	<u>Synopsis of Case</u> Claim for damages pursuant to an alleged wrongful arrest.	<u>Disposition</u> Dismissed for lack of notice and pleading deficiencies.
Case Name: Pacheco, Anthony v. City of Albuquerque, et al.; D-202-CV-2023-04302		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/Premises Liab. <u>Division / Attorney:</u> Litigation / Ashlee M. Wright <u>Matter ID / Outside Counsel</u> 11.438 <u>Department-Client:</u> Municipal Development	<u>Synopsis of Case</u> Claim for damages after tripping and falling in an uncovered manhole.	<u>Disposition</u> Tendered matter settled by responsible party. No settlement proceeds paid by City.

Case Name: Robinson, Johnny v. City of Albuquerque, et al.; D-202-CV-2023-02512		
<u>Type of Suit:</u> Litigation (General) <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 38.275 <u>Department-Client:</u> Planning	<u>Synopsis of Case</u> Claim for malicious prosecution and premises liability.	<u>Disposition</u> Disposition Order for lack of prosecution entered on 8/5/24.
Case Name: Smith, Jerry v. Supportive Housing Coalition, et al.; D-202-CV-2024-05427 (Remanded from 1:24-cv-00776-SCY-LF)		
<u>Type of Suit:</u> Litigation (General) <u>Division / Attorney:</u> Litigation / Laura Callanan <u>Matter ID / Outside Counsel</u> 35.021 <u>Department-Client:</u> Family & Community Services-Housing	<u>Synopsis of Case</u> Claim for damages based on living conditions of housing.	<u>Disposition</u> Dismissed for failure to state a claim.
Case Name: Smith, Steven C., v. Earl Jeter and City of Albuquerque; D-202-CV-2021-04604		
<u>Type of Suit:</u> LIT-Tort/Personal Injury/MVA <u>Division / Attorney:</u> Litigation / Kristin J. Dalton <u>Matter ID / Outside Counsel</u> 17.169 <u>Department-Client:</u> Solid Waste Management	<u>Synopsis of Case</u> Claim for damages following a motor vehicle collision involving a City employee.	<u>Disposition</u> Dismissed for lack of prosecution.

Case Name: Taylor, Thomas Rashad v. Albuquerque Police Department; D-202-CV-2024-04493		
<u>Type of Suit:</u> LIT-Civil Rights/APD	<u>Synopsis of Case</u> Claim for damages based on encounter with APD.	<u>Disposition</u> Dismissed for lack of jurisdiction.
<u>Division / Attorney:</u> Litigation / Laura Callanan		
<u>Matter ID / Outside Counsel</u> 10.1613		
<u>Department-Client:</u> Police		