


**CITY OF ALBUQUERQUE**  
Albuquerque, New Mexico  
Office of the Mayor

Mayor Timothy M. Keller

**INTER-OFFICE MEMORANDUM**

DATE: 03/18/2022

**TO:** Isaac Benton, President, City Council

**FROM:** Timothy M. Keller, Mayor 


**SUBJECT:** Legal Department's Quarterly Litigation Report for the 2<sup>nd</sup> Quarter of FY 2022 (Greater than 10,000)

Submitted herewith to City Council is the Legal Department's Quarterly Litigation Report for the 2<sup>nd</sup> 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 2<sup>nd</sup> Quarter of FY 2022 (Greater than 10,000)

Approved:

 3/23/22  
Sarita Nair Date  
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:  
 3/18/2022 | 12:19 PM MDT  
EE99B0CFDBA0443...  
Esteban A. Aguilar, Jr. Date  
City Attorney

## Cover Analysis

**1. What is it?**

Legal Department's Quarterly Litigation Report for the **2nd** 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  
SETTLEMENTS AND JUDGMENTS GREATER THAN \$10,000.00  
October 1, 2021 to December 2021  
2<sup>nd</sup> Quarter FY22**

<b>Case Name: Ankiewicz, Natalia v. City of Albuquerque and Ethan Lucero, et al.; D-202-CV-2021-04210</b>			
<b><u>Type of Suit:</u></b>	<b><u>Synopsis of Case</u></b>	<b><u>Disposition</u></b>	<b><u>Amount Paid</u></b>
LIT-Tort/Personal Injury	Plaintiff alleged personal injury and property damage following an incident involving a fire hose.	Settled	\$20,000.00
<b><u>Division / Attorney:</u></b>			
Litigation / Michael D. Russell			
<b><u>Matter ID</u></b> <b><u>Outside Counsel</u></b>			
15.114			
<b>Case Name: Cordova, Katherine v. City of Albuquerque et al.; D-202-CV-2018-08509</b>			
<b><u>Type of Suit:</u></b>	<b><u>Synopsis of Case</u></b>	<b><u>Disposition</u></b>	<b><u>Amount Paid</u></b>
LIT-Tort/Personal Injury	Plaintiff claimed injury claims injury after being struck by a City bus while crossing the street.	Settled	\$75,000.00
<b><u>Division / Attorney:</u></b>			
Litigation / Aaron Holloman			
<b><u>Matter ID</u></b> <b><u>Outside Counsel</u></b>			
12.322			
<b>Case Name: Corwin-Martinez, Jamie v. New Mexico Department of Transportation and the City of Albuquerque; D-202-CV-2020-01926</b>			
<b><u>Type of Suit:</u></b>	<b><u>Synopsis of Case</u></b>	<b><u>Disposition</u></b>	<b><u>Amount Paid</u></b>
LIT-Tort/Personal Injury	Plaintiff alleged personal injuries and negligence following a bicycle accident on a City bike path.	Settled	\$10,000.00
<b><u>Division / Attorney:</u></b>			
Litigation / Kristin J. Dalton			
<b><u>Matter ID</u></b> <b><u>Outside Counsel</u></b>			
11.321			

**Case Name: DeLeon, Ramon v. City of Albuquerque, et al.; D-202-CV-2019-05798**

**Type of Suit:** LIT-Tort/Personal Injury/MVA **Synopsis of Case** Plaintiff alleged property damages and personal injury following a motor vehicle accident involving the Albuquerque Police Department. **Disposition** Settled **Amount Paid** \$120,000.00

**Division / Attorney:** Litigation / Kristin J. Dalton

**Matter ID** 10.1046 **Outside Counsel**

**Case Name: Estate of Kenneth Reiss; TCN; PO-21-19875 (RD)**

**Type of Suit:** Tort Claim **Synopsis of Case**  **Disposition**  **Amount Paid** \$50,000.00

**Division / Attorney:** Stephanie M. Griffin

**Matter ID**  **Outside Counsel**

**Case Name: Garcia, Antonio, et al., v. City of Albuquerque, et al.; D-202-CV-2019-04448**

**Type of Suit:** LIT-Tort/Personal Injury **Synopsis of Case** Plaintiffs alleged negligence and personal injuries following a motor vehicle accident involving a pedestrian. **Disposition** Settled **Amount Paid** \$10,000.00

**Division / Attorney:** Litigation / Kristin J. Dalton

**Matter ID** 11.300 **Outside Counsel**

**Case Name: Husted, Michele v. City of Albuquerque; D-202-CV-2019-04416**

**Type of Suit:** LIT-Tort/Personal Injury **Synopsis of Case** Plaintiff alleged personal injuries following a trip and fall on a residential street. **Disposition** Settled **Amount Paid** \$50,000.00

**Division / Attorney:** Litigation / Aaron Holloman

**Matter ID** 11.298 **Outside Counsel**

**Case Name: Olivas, Regina v. City of Albuquerque; D-202-CV-2020-06876**

**Type of Suit:** LIT-Tort/Personal Injury/Premises Liab. **Synopsis of Case** Plaintiff alleged personal injuries after a slip and fall incident near the Sid Cutter Pilot Pavilion located **Disposition** Settled **Amount Paid** \$18,500.00

<u>Division / Attorney:</u> _____ at the Balloon Fiesta Park. Litigation / Ashlee M. Wright			
<u>Matter ID</u> <u>Outside Counsel</u> 13.105			
<b>Case Name: Perez, Angela v. City of Albuquerque; D-202-CV-2020-03597</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/ Premises Liab.	Plaintiff alleged personal injuries following a trip and fall at a Community Center.	Settled	\$35,000.00
<u>Division / Attorney:</u> Litigation / Michael D. Russell			
<u>Matter ID</u> <u>Outside Counsel</u> 20.226			
<b>Case Name: Rightley-Lewis, Susan v. City of Albuquerque, et al.; D-202-CV-2019-09005</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/ Premises Liab.	Plaintiff alleged personal injuries following a slip and fall incident at a City park.	Settled	\$100,000.00
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton			
<u>Matter ID</u> <u>Outside Counsel</u> 13.101			
<b>Case Name: Senac, Stephen v. City of Albuquerque D-202-CV-2020-04199; Complaint for Employment Discrimination Based on Age and Race</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Employment/Discrimination	Stephen Senac v. City of Albuquerque	Settled	\$35,000.00
<u>Division / Attorney:</u> Litigation/EMP / Ian G. Stoker			
<u>Matter ID</u> <u>Outside Counsel</u> 33.069			
<b>Total Amount for October 1, 2021 to December 31, 2021: \$523,500.00</b>			

**LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT  
SETTLEMENTS AND JUDGMENTS LESS THAN \$10,000.00**

October 1, 2021 to December 31, 2021  
2<sup>nd</sup> Quarter FY22

<b>Case Name: Allen, Paul v. Albuquerque Police Department; D-202-CV-2021-05109</b>			
<b>Type of Suit:</b> LIT-IPRA	<b>Synopsis of Case</b> Plaintiff alleged damages pursuant to IPRA.	<b>Disposition</b> Settled	<b>Amount Paid</b> \$8,500.00
<b>Division / Attorney:</b> Litigation / Kristin J. Dalton			
<b>Matter ID</b> <u>Outside Counsel</u> 10.1337			
<b>Case Name: Gurule, Leo v. City of Albuquerque and Jason Elwell; D-202-CV-2020-01473</b>			
<b>Type of Suit:</b> LIT-Tort/Personal Injury	<b>Synopsis of Case</b> Plaintiff alleged injuries following an interaction with a Solid Waste Department employee.	<b>Disposition</b> Settled	<b>Amount Paid</b> \$5,000.00
<b>Division / Attorney:</b> Litigation / Michael D. Russell			
<b>Matter ID</b> <u>Outside Counsel</u> 17.156			
<b>Case Name: Hughes, Suzanne and Christine Brooks v. City of Albuquerque and David Beavides, Jr.; D-202-CV-2021-02409</b>			
<b>Type of Suit:</b> LIT-Tort/Personal Injury/MVA	<b>Synopsis of Case</b> Plaintiffs alleged personal injuries and damages following a motor vehicle collision involving a City employee.	<b>Disposition</b> Settled	<b>Amount Paid</b> \$9,000.00
<b>Division / Attorney:</b> Litigation / Ashlee M. Wright			
<b>Matter ID</b> <u>Outside Counsel</u> 17.165			
<b>Total Amount for October 1, 2021 to December 31, 201:</b>			<b>\$22,500.00</b>

## LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT

## CITY VICTORIES

October 1, 2021 to December 31, 2021

2<sup>nd</sup> Quarter FY22

<b>Case Name: Britton, Marcy v. Mayor Keller, Danny Nevarez and City of Albuquerque; 20-2054 (Appealed from 19-cv-01113 KG/JHR)</b>	
<b>Type of Suit:</b>	<b>Disposition</b>
LIT-Declaratory Jgmt/Injunctive Relief	Order of Dismissal granted in favor of City following Motions practice.
<b>Division / Attorney:</b> Kristin J. Dalton	10th Circuit Court affirmed on appeal. Writ of Certiorari denied.
<b>Matter ID</b> <u>Outside Counsel</u> 24.372	
<b>Case Name: Richesin, Felicia and Shawn Richesin v State of New Mexico, et al., CV-2018-00567</b>	
<b>Type of Suit:</b>	<b>Disposition</b>
LIT-Tort/Personal Injury/MVA	Order granting City's Motion for Summary Judgment in favor of City.
<b>Division / Attorney:</b> Litigation / Stephanie M. Griffin	
<b>Matter ID</b> <u>Outside Counsel</u> 11.260	
<b>Case Name: Taylor, Leland v. Michell Lujan Grisham, et al.; Subpoena to Mayor Timothy Keller; 20-cv-00267 JB/JHR</b>	
<b>Type of Suit:</b>	<b>Disposition</b>
Litigation (General)	Subpoena issue complete.
<b>Division / Attorney:</b> Litigation / Kristin J. Dalton	
<b>Matter ID</b> <u>Outside Counsel</u> 43.030	