


CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

DATE: 08/29/2022

TO: Isaac Benton, President, City Council

FROM: Timothy M. Keller, Mayor 

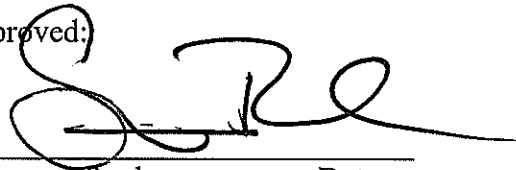
SUBJECT: Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2021
(Greater than 10,000)

Submitted herewith to City Council is the Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2021 (Greater than \$10,000) as required pursuant to R.O.A. §2-8-1-5. This Litigation Report for 1st Quarter FY21 is being submitted at this time due to having been unintentionally omitted in 2021.

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

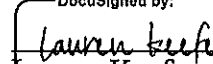
TITLE/SUBJECT OF LITIGATION: Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2021 (Greater than 10,000)

Approved:



Lawrence Rael
Chief Administrative Officer

Approved as to Legal Form:

DocuSigned by:
 8/29/2022 | 9:33 AM MDT
Lauren Keefe
City Attorney

Cover Analysis

1. What is it?

Legal Department's Quarterly Litigation Report for the 1st Quarter of FY 2021 (greater than 10,000). This Litigation Report for 1st Quarter FY21 is being submitted at this time due to having been unintentionally omitted in 2021.

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**

July 1, 2020 to September 30, 2020

1st Quarter FY21

Case Name: Harshfield, Tanya et al v. Gregory Piskiel, et al, D-202-CV-2018-02618			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury	Plaintiff claims injury from an automobile accident alleging trees and shrubs hid the stop sign and contributed to the accident.	Settled	\$25,000.00
<u>Division / Attorney:</u> Litigation/Kristin J. Dalton			
<u>Matter ID</u> <u>Outside Counsel</u> 11.265			
Case Name: Stevenson, Terricia A., as Guardian ad Litem and Conservator of Majestic Howard, Jr., and Karisma Strong v City of Albuquerque, et al., CIV-17-0855 JB/LF			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Civil Rights and Tort Claims	Plaintiff claims injury and violation of civil rights after being apprehended by APD officers.	Settled	\$42,500.00
<u>Division / Attorney:</u> Litigation/Stephanie M. Griffin			
<u>Matter ID</u> <u>Outside Counsel</u> 10.908			
Case Name: Chavez, Reynaldo L. v. City of Albuquerque, et al., CV-2016-00086			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Employment/Breach of Contract	Complaint alleging violation of the Whistleblower Protection Act and breach of contract.	Settled	\$75,000.00
<u>Division / Attorney:</u> Litigation/EMP/Samantha M. Hults			
<u>Matter ID</u> <u>Outside Counsel</u> 10.796 Deborah Wells			

Case Name: Vargas, Erica v. Julius Glenn Martinez, et al.; D-202-CV-2019-04611

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/MVA	Plaintiff alleges negligence and personal injuries following a motor vehicle accident involving a City bus.	Settled	\$46,000.00

Division / Attorney:
Litigation/Audrey K. McKee

Matter ID **Outside Counsel**
12.345

Total Amount for July 1, 2020 to September 30, 2020: \$188,500.00

**LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT
 SETTLEMENTS AND JUDGMENTS LESS THAN \$10,000.00
 July 1, 2020 to September 30, 2020
 1st Quarter FY21**

Case Name: Keeth, Ian v. City of Albuquerque, et al.; D-202-CV-2019-08369			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/Premises Liability	Plaintiff alleges personal injuries following a trip and fall over a guy wire in a City park.	Settled	\$1,000.00
<u>Division / Attorney:</u> Litigation/Kristin J. Dalton			
<u>Matter ID</u> <u>Outside Counsel</u> 13.100			
Case Name: Vigil, Maricka R., v. United States of America, and City of Albuquerque; 1:19-cv-00429-JB-JHR			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Negligence	Plaintiff alleges negligence and personal injuries following a motor vehicle accident involving a City employee.	Settled	\$500.00
<u>Division / Attorney:</u> Litigation/Kristin J. Dalton			
<u>Matter ID</u> <u>Outside Counsel</u> 11.295			
Total Amount for July 1, 2020 to September 30, 2020: \$1,500.00			

LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT
CITY VICTORIES
July 1, 2020 to September 30, 2020
1st Quarter FY21

Case Name: Barnett, Deborah v. City of Albuquerque; D-202-CV-2019-04348			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury	Plaintiff alleges personal injuries following a trip and fall.	Case was tendered by City's counsel; tender was accepted	\$0.00
<u>Division / Attorney:</u> Litigation/Audrey K. McKee			
<u>Matter ID</u> <u>Outside Counsel</u> 11.299			
Case Name: Caouette, Daniel v. City of Albuquerque, et al.; D-506-CV-2020-00530			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-IPRA	Plaintiff alleges damages pursuant to IPRA.	Dismissal Granted in Favor of City via Motions Practice	\$0.00
<u>Division / Attorney:</u> Litigation/Aaron Holloman			
<u>Matter ID</u> <u>Outside Counsel</u> 10.1115			
Case Name: Christoffel, Steven v. City of Albuquerque, et al.; D-202-CV-2020-01727			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
Litigation (General)	Plaintiff alleges fraud against the taxpayers.	Dismissal in favor of City following Motions Practice	\$0.00
<u>Division / Attorney:</u> Litigation/Michael D. Russell			
<u>Matter ID</u> <u>Outside Counsel</u> 20.224 Jason M. Burnette			

Case Name: Guardado, Stella v. ARCA v. City of Albuquerque; D-202-CV-2019-03759

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury	Third Party Complaint against City of Albuquerque filed in a personal injury matter where Plaintiff alleged personal injury due to uneven pavement.	Dismissed against City upon agreement of parties	\$0.00

Division / Attorney:

Litigation/Aaron Holloman

Matter ID Outside Counsel

11.301

Case Name: Montoya, Cathy, et al., v. Albuquerque Public Schools, et al.; D-202-CV-2019-00989

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury	Plaintiffs allege personal injury and loss of consortium following a trip and fall on uneven sidewalk.	Case was tendered by City's counsel; tender was accepted	\$0.00

Division / Attorney:

Litigation/Kristin J. Dalton

Matter ID Outside Counsel

11.288