



## Cover Analysis

### **1. What is it?**

Legal Department's Quarterly Litigation Report for the 2<sup>nd</sup> Quarter of **FY 2021** (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, 2020 to December 31, 2020**

**2<sup>nd</sup> Quarterly FY21**

<b>Case Name: Dear, Jeremy v. City of Albuquerque, Ex Rel, et al., D-202-CV-2018-00378</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-IPRA	Plaintiff claimed damages from an IPRA request to	Settled	\$85,000.00
<u>Division / Attorney:</u>	APD alleging the request was not completed and/or		
Litigation/ Kristin J. Dalton	responsive documents were destroyed.		
<u>Matter ID</u>			
10.935			
<b>Case Name: Becker, Marvin v. Jon Friedfertig, D-202-CV-2018-00577</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT- Tort/Personal Injury/MVA	Plaintiff claimed damages after being rear-ended	Settled	\$13,750.00
<u>Division / Attorney:</u>	by an officer driving a police unit.		
Litigation/ Aaron Holloman			
<u>Matter ID</u>			
10.976			
<b>Case Name: Lee, Jennifer v. City of Albuquerque, et al., D-202-CV-2020-01922</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT- Tort/Personal Injury/MVA	Plaintiff alleged personal injuries following a	Settled	\$27,500.00
<u>Division / Attorney:</u>	MVA involving a City bus.		
Litigation/ Michael D. Russell			
<u>Matter ID</u>			
12.359			
<b>Case Name: Tuoni, Francesca v. City of Albuquerque, D-202-CV-2018-01974</b>			
<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury	Plaintiff claimed injury after falling at the ABQ	Settled	\$75,000.00
<u>Division / Attorney:</u>	Biopark.		

Litigation/ Kristin J. Dalton <u>Matter ID</u> 33.050			
<b>Case Name: Watson, Gary (PR) of the Estate of Yu Ling v. Lulu's Kitchen and the City of Albuquerque, D-202-CV-2019-07759</b>			
<u>Type of Suit:</u> LIT/Tort/Wrongful Death/MVA <u>Division / Attorney:</u> Litigation/ Kristin J. Dalton <u>Matter ID</u> 11.310	<u>Synopsis of Case</u> Plaintiff alleged wrongful death following a MVA claimed to have occurred as a result of traffic signal or light failure.	<u>Disposition</u> Settled	<u>Amount Paid</u> \$10,000.00
<b>Case Name: Romero, Rico v. City of Albuquerque, D-202-CV-2019-09683</b>			
<u>Type of Suit:</u> LIT-Employment/Civil Rights <u>Division / Attorney:</u> Employment Lit./ Devon P. Moody <u>Matter ID</u> 24.376	<u>Synopsis of Case</u> Complaint alleging discrimination and retaliation.	<u>Disposition</u> Settled	<u>Amount Paid</u> \$25,000.00
<b>Case Name: Grady, Frankie; Tort Claim</b>			
<u>Type of Suit:</u> Litigation (General) <u>Division / Attorney:</u> Litigation/ Stephanie M. Griffin <u>Matter ID</u> 10.1142	<u>Synopsis of Case</u> Claimant alleged damages due to wrongful arrest.	<u>Disposition</u> Settled Pre-Lit	<u>Amount Paid</u> \$40,000.00
<b>Case Name: Barry, LaQuonte; Tort Claim</b>			
<u>Type of Suit:</u> Lit/Civil Rights and Tort Claims <u>Division / Attorney:</u> Litigation/ Stephanie M. Griffin <u>Matter ID</u> 10.1158	<u>Synopsis of Case</u> Claimant alleged damages due to wrongful arrest.	<u>Disposition</u> Settled Pre-Lit	<u>Amount Paid</u> \$40,000.00
<b>Total Amount for October 1, 2020 to December 31, 2020: \$316,250.00</b>			

**LEGAL DEPARTMENT QUARTERLY LITIGATION REPORT**  
**CITY VICTORIES**  
**October 1, 2020 to December 31, 2020**  
**2<sup>nd</sup> Quarter FY21**

<b>Case Name: Kapinski, Anthony v. City of Albuquerque and Terra Juarez, Appellate No. 19-2149</b>		
<b><u>Type of Suit:</u></b> LIT-Civil Rights and Tort Claims <b><u>Division / Attorney:</u></b> Litigation/ Kristin J. Dalton <b><u>Matter ID</u></b> 10.966	<b><u>Synopsis of Case</u></b> Plaintiff claimed false arrest, imprisonment and malicious prosecution after arrest by APD.	<b><u>Disposition</u></b> Mandate issued by Tenth Circuit affirming Judgment of District Court.
<b>Case Name: Los Pinones II Partnership v. City of Albuquerque, et al., D-202-CV-2020-03776</b>		
<b><u>Type of Suit:</u></b> LIT-Tort/Property Damages <b><u>Division / Attorney:</u></b> Litigation/ Kristin J. Dalton <b><u>Matter ID</u></b> 11.334	<b><u>Synopsis of Case</u></b> Plaintiff alleged property and other damages following damages to a sewer line.	<b><u>Disposition</u></b> Global settlement reached with no funds paid by COA.
<b>Case Name: Murphy, Dennis as PR of the Estate of Renee Wilson, et al., v. City of Albuquerque, et al., D-202-CV-2019-07132</b>		
<b><u>Type of Suit:</u></b> LIT-Tort/Wrongful Death <b><u>Division / Attorney:</u></b> Litigation/Stephanie M. Griffin <b><u>Matter ID</u></b> 10.1073	<b><u>Synopsis of Case</u></b> Plaintiff claimed damages for a wrongful death alleging negligence following a 911 call.	<b><u>Disposition</u></b> Stipulation of dismissal with prejudice filed on 11/20/2020.