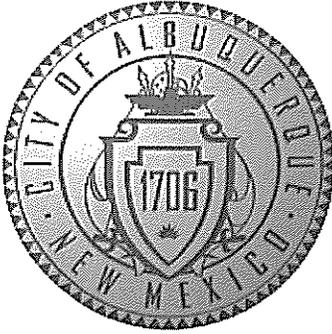


EC-26-63



# 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 2<sup>nd</sup> Quarter of FY 2025  
(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 2025 (Greater than \$10,000) as required pursuant to R.O.A. §2-8-1-5.

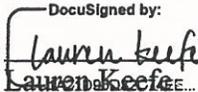
I request that the Quarterly Litigation Reports be presented to City Council for information.

**TITLE/SUBJECT OF LITIGATION:** Legal Department's Quarterly Litigation Report for the 2<sup>nd</sup> Quarter of FY 2025 (Greater than 10,000)

Approved:

Approved as to Legal Form:

  
Dr. Samantha Sengel      Date  
Chief Administrative Officer

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**

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

**Case Name: Baca, Salomon v. City of Albuquerque; D-202-CV-2024-07030**

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-IPRA	Claim for violation of IPRA.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Employment/WPA	Claim for violation of the NM Human Rights Act and NM Whistleblower Protection Act.	Settled.	\$275,000.00
<u>Division / Attorney:</u>			
Litigation / Catherine Gonzalez			
<u>Matter ID / Outside Counsel</u>	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.		
14.036			
<u>Department-Client:</u>			
Environmental Health			

**Case Name: Carrillo, Destinee Jacklyn v. City of Albuquerque Police Department; D-202-CV-2024-03125**

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-IPRA	Claim for violation of IPRA.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/MVA	Claim for damages following a motor vehicle accident.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/MVA	Claim for damages following a motor vehicle accident involving a City bus.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Civil Rights and Tort Claims	Claim for excessive force.	Settled.	\$10,000.00
<u>Division / Attorney:</u>			
Litigation / Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u>			
10.1320			
<u>Department-Client:</u>			
Police			

<b>Case Name: Martinez, Anna (PR), et al., v. City of Albuquerque, et al.; D-202-CV-2021-04679</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/Wrongful Death/Premises Liab.	Claim for wrongful death due to premises liability.	Settled.	\$200,000.00
<b><u>Division / Attorney:</u></b> Litigation / Kristin J. Dalton			
<b><u>Matter ID / Outside Counsel</u></b> 11.379 Deborah Wells			
<b><u>Department-Client:</u></b> Municipal Development			
<b>Case Name: Moya, Monica v. City; Alleged Violation of the Whistleblower Protection Act. D-202-CV-2023-04329</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-Employment/WPA	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.	Settled.	\$50,000.00
<b><u>Division / Attorney:</u></b> Litigation / Catherine Gonzalez			
<b><u>Matter ID / Outside Counsel</u></b> 10.1505 Andrea Robeda			
<b><u>Department-Client:</u></b> Police			
<b>Case Name: Moreno, James and Lydia Moreno v. Albuquerque Police Department et al., D-202-CV-2018-05444</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	Claim for damages resulting from an automobile accident involving a suspect fleeing from APD in a vehicle.	Settled.	\$90,000.00
<b><u>Division / Attorney:</u></b> Litigation / Kristin J. Dalton			
<b><u>Matter ID / Outside Counsel</u></b> 10.974 Jonlyn Martinez			
<b><u>Department-Client:</u></b> 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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</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	Claim for wrongful death based on failure to investigate prior activity involving the decedents' neighbor.	Settled.	\$850,000.00

**Case Name: Naranjo, Kyanna v. City of Albuquerque; D-202-CV-2023-03910**

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</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	Claim for violation of IPRA.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</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	Claim for violation of IPRA.	Settled.	\$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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Personal Injury/MVA	Claim for damages following a motor vehicle accident.	Settled.	\$150,000.00
<u>Division / Attorney:</u> Litigation/ Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u> 10.1506 Katrina Bagley Brown			
<u>Department-Client:</u> Police			

**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>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-Tort/Wrongful Death	Claim for wrongful death following a hit and run incident that occurred at the River of Lights.	Settled.	\$771,944.29
<u>Division / Attorney:</u> Litigation / Kristin J. Dalton			
<u>Matter ID / Outside Counsel</u> 33.085			
<u>Department-Client:</u> Cultural Services			

**Case Name: Wilson, Brian v. Ethan Watson, Records Custodian for the City of Albuquerque; D-202-CV-2024-05809**

<u>Type of Suit:</u>	<u>Synopsis of Case</u>	<u>Disposition</u>	<u>Amount Paid</u>
LIT-IPRA	Claim for violation of IPRA.	Settled.	\$30,000.00
<u>Division / Attorney:</u> Litigation / Laura Callanan			
<u>Matter ID / Outside Counsel</u> 45.091			
<u>Department-Client:</u> City Clerk			

**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**  
**2<sup>nd</sup> Quarter FY25**

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

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

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

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

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