

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI. S
9/10/2024

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

1. Resolution authorizing the Municipal Counselor to confess Judgment without admitting liability in the case of *Briana Buckler v. City of Oklahoma City*, Oklahoma County District Court, Case No. CJ-2022-6144;

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney regarding settlement discussions in this case as authorized by 25 O.S. (2023 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the litigation with settlement discussion in the public interest.

On December 16, 2022, Plaintiff filed this lawsuit against the City of Oklahoma City alleging a negligence cause of action resulting in personal injuries arising from a June 25, 2021, traffic collision between a vehicle driven by Plaintiff and an Oklahoma City Police Department vehicle driven by an on-duty police officer. Plaintiff's counsel has provided supporting documentation for personal injuries and property damage to Plaintiff in the amount \$31,031.88. The Plaintiff is represented by attorney Jake Kouri. The City is represented by Assistant Municipal Counselors Linda Samuel-Jaha and Benjamin Rose.

Investigation into this accident shows that on Friday, June 25, 2021, Ms Briana Buckler was traveling southbound on Lyrewood Lane in Oklahoma City at approximately 4:53 p.m. The Oklahoma City Police Officer involved in this accident was pulling out of an apartment complex located at 7301 Lyrewood Lane in Oklahoma City and did not see Plaintiff coming. The Officer proceeded with a left turn colliding into the passenger side front of Plaintiff's vehicle. As a result of this accident the airbags in Plaintiff's vehicle deployed and she alleges injuries to her left wrist, right wrist, right forearm and fracture of her fibula. This Officer was not responding to an emergency at the time of this accident.

Plaintiff and counsel for the City have engaged in settlement negotiations. Plaintiff's original demand was \$175,000. After negotiations, Counsel for the City has agreed to recommend \$79,000, as full and final settlement of all aspects of City's involvement in this litigation, including any future medical expenses. Plaintiff, through her counsel, has agreed to accept this amount.

It is the recommendation of this office that the Mayor and Council authorize the Municipal Counselor to confess judgment in favor of Plaintiff without admitting liability in this case in the amount of \$79,000. If Council would like more information regarding this case, it is the recommendation of the Municipal Counselor that Council retire into executive session with the Municipal Counselor to receive confidential communications with its attorney regarding this possible settlement.