

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

Council Agenda
Item No. XI. AC.1&2
8/16/2022

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 *Kristin Caron v. The City of Oklahoma City*, Oklahoma County District Court Case No. CJ-2021-2241;

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. (2021) §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.

Plaintiff, Kristin Caron, filed suit against the City of Oklahoma City on May 24, 2021, alleging personal injuries arising out of a collision between the vehicle she was driving and an Oklahoma City Police Department vehicle on May 23, 2019 on the ramp for eastbound I-240 toward northbound I-35. Plaintiff alleges that the City vehicle collided into the rear of the vehicle she was driving, owned by a third party, while she was stopped, yielding to oncoming traffic. Plaintiff alleges this collision pushed her car forward approximately six feet. Plaintiff alleges injuries including her neck, back, head, and shoulders. Plaintiff's counsel has provided supporting documentation for \$20,483.48, of medical expenses associated with this collision. The City has previously settled the property damage claim with the owner of the vehicle, Sherry Hull. Plaintiff is not alleging further property damage. Plaintiff is represented by attorney Bill Abney. Katie Goff and Linda Samuel-Jaha, Assistant Municipal Counselors, represent the City.

Investigation into the accident shows that on May 23, 2019, an OCPD patrol car driven by an Oklahoma City officer, was traveling north on the ramp from eastbound I-240 onto northbound I-35. The City driver was observing the northbound traffic and did not notice the vehicle Plaintiff was driving was stopped, yielding to oncoming traffic. The front passenger-side fender of the City vehicle collided with the rear driver-side fender of the vehicle Plaintiff was driving. The Official Oklahoma Traffic Collision Report indicates that City's driver contributed to the collision through inattention. There was no indication of wrongdoing associated with Plaintiff. Counsel for the parties has engaged in pre-trial discovery and settlement negotiations. As a result of the negotiations, Plaintiff has agreed to accept \$30,000 in full settlement of all aspects of her claims against the City and its personnel.

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. 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.