

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

Council Agenda
Item No. XI. X
8/13/2024

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the case of *Anne Murphy v. City of Oklahoma City, et al.*, in the District Court of Oklahoma County, State of Oklahoma Case No. CJ-2021-3631 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 discussions in the public interest.

Plaintiff Anne Murphy alleges that on September 17, 2020, she was injured while she was walking two dogs near the bus stop at Northwest 23rd Street and North Blackwelder Avenue when she allegedly tripped and fell when she attempted to step over a parking mountable curb near the bus stop designed and constructed by independent contractors. This mountable curb was installed to prevent cars from parking in a designated area and was not designed for pedestrians' walking. Plaintiff alleges negligence on behalf of Oklahoma City for failure to warn of "hidden" dangers, and that the curb was constructed and maintained in violation of the Americans with Disabilities Act. Plaintiff is represented by Steven W. Crow. The City is represented by Assistant Municipal Counselors Linda Samuel Jaha and Sherri Katz.

This matter is set for a jury trial in February 2025 before the Honorable Natalie Mai. The parties have been court ordered to participate in a mediation, which is set for August 23, 2024 with Mediator David H. Cole.

It is the recommendation of this office Council retire into Executive Session to further discuss this case.