

## **JOINT RESOLUTION**

**JOINT RESOLUTION AUTHORIZING THE FIRM COLLINS, ZORN & WAGNER, P.C. TO REPRESENT CITY EMPLOYEES REBECCA FRY AND ROBERT BURTON IN THE CASE OF TONYA JOHNSON V. BREANNA HURD, ET AL., OKLAHOMA COUNTY DISTRICT COURT, CASE NO. CJ-2024-965.**

**WHEREAS**, Oklahoma City Police Officers Rebecca Fry and Robert Burton are employed by the City of Oklahoma City at all times material to the case in Oklahoma County District Court, Case Number CJ-2024-965, *Tonya Johnson v Breanna Hurd, et al.*; and,

**WHEREAS**, Plaintiff is seeking to recover damages from the Defendant Officers for allegedly violating certain rights of the Plaintiff by their actions during a disturbance incident investigation on February 13, 2023; and,

**WHEREAS**, the Defendant Officers have requested that the City provide legal representation on their behalf; and,

**WHEREAS**, there exists a potential conflict of interest between the City and these employees if Plaintiff is able to prove her allegations; and,

**WHEREAS**, these officers have requested that the City retain Collins, Zorn & Wagner, P.C. to represent them in this lawsuit; and,

**WHEREAS**, the Oklahoma City Municipal Facilities Authority has entered into a Comprehensive Retainer Agreement with Collins, Zorn & Wagner, P.C. to provide legal services on behalf of Oklahoma City Police Officers in these circumstances.

**NOW BE IT RESOLVED BY THE CITY OF OKLAHOMA CITY AND THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY** that Collins, Zorn & Wagner, P.C. is hereby retained as legal counsel on behalf of City employees Rebecca Fry and Robert Burton, in the above-referenced case pursuant to the terms and conditions of their Agreement

reserving unto the City further rights of indemnification as to the payment of any demands, claims or attorney fees, both in their defense or the plaintiff's prosecution of this case or judgment, resulting from this litigation as provided by 11 O.S. §23-102, 51 O.S. §§153, 162, and Oklahoma City Municipal Code §§2-321 through 2-325, inclusive, from these officers if it should be determined or decided by the Court or a jury or by the City Council of the City of Oklahoma City that the officers were acting outside the course and scope of his or her employment with the City of Oklahoma City.

**ADOPTED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF OKLAHOMA CITY** this 4<sup>TH</sup> day of JUNE, 2024.

ATTEST:

Amy K. Simpson  
City Clerk



David Holt  
Mayor

**ADOPTED BY THE TRUSTEES AND APPROVED BY THE CHAIRMAN OF THE OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY** this 4<sup>TH</sup> day of

JUNE, 2024.

ATTEST:

Amy K. Simpson  
Secretary



David Holt  
Chairman

**REVIEWED** as to form and legality.

Sherril Katz  
Assistant Municipal Counselor