

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

Council Agenda
Item No. XI. AF
7/30/2024

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 *Marcia Johnson-Kathan v. City of Oklahoma City, a municipal corporation*, in the District Court of Oklahoma County, CJ-2020-4974, 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 Marcia Kathan alleges that on February 23, 2019, she was walking in the dark in a crowd of people in downtown Oklahoma City between Bricktown and the Paycom Center after attending a Thunder game when she allegedly tripped on an elevated portion of the sidewalk near Reno and Gaylord, injuring herself. Plaintiff alleges negligence on behalf of Oklahoma City for failure to warn of “hidden” dangers. Plaintiff is represented by Steven Crow. The City is represented by Assistant Municipal Counselors Katie Goff and Sherri Katz.

On May 22, 2024, the City, via a successful partial Motion for Summary Judgment, had Plaintiff Glenn Kathan and his loss of consortium claim dismissed from this action.

This matter is set for a jury trial October 21, 2024, before the Honorable Stephen Bonner. The parties have been court ordered to participate in a mediation, which is set for August 6, 2024.

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