

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

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

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 styled *Rita Bornoff v. The City of Oklahoma City and State of Oklahoma, ex rel. Oklahoma Department of Transportation*, in the Oklahoma County District Court Case No. CJ-2022-5358, 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.

On October 31, 2022, Plaintiff, represented by Kelly George, DeeAnn Germany, and James Scimeca, filed the above action against the City of Oklahoma City and the Department of Transportation alleging negligence. Plaintiff alleges the City failed to properly maintain a sidewalk located at the intersection of West Oklahoma City Boulevard and South Robinson, on July 3rd, 2022, resulting in personal injury. The Pre-Trial Conference is set for October 16, 2024, before Judge Anthony Bonner.

Mediation is currently scheduled with Mediator William Greenwood on September 12, 2024. The City is represented by Assistant Municipal Counselors Linda Samuel-Jaha, Jeremy Jarman, and Benjamin Rose.

It is the recommendation of this office that Council retire into executive session with the Municipal Counselor to discuss the upcoming mediation.