

JOINT RESOLUTION

JOINT RESOLUTION AUTHORIZING COLLINS, ZORN & WAGNER, P.C. TO REPRESENT MUNICIPAL EMPLOYEE MICHAEL CALLAWAY IN THE CASE OF *LUIS MALDONADO V. DAVID PRATER, ET AL*, UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-23-675-D.

WHEREAS, Oklahoma City Police Officer Michael Callaway was employed by the City of Oklahoma City at all times material to the case in United States District Court, Western District of Oklahoma, Case Number CIV-23-675-D, styled *Luis Maldonado v. David Prater, et al.*; and,

WHEREAS, Plaintiff is seeking to recover damages from the Defendant Officer for allegedly violating certain civil rights of the Plaintiff by his investigation of Plaintiff for felony charges in 2019 and/or 2021,

WHEREAS, the Defendant Officer has requested that the City provide legal representation on his behalf; and,

WHEREAS, there exists a potential conflict of interest between the City and this employee if Plaintiff is able to prove his allegations; and,

WHEREAS, this officer has requested that the City retain Collins, Zorn & Wagner, P.C. to represent him 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 employee Michael Callaway, in the above-referenced case pursuant to the terms and conditions of their Agreements 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 this officer 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 officer was 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 29TH day of AUGUST, 2023.

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 29TH day of AUGUST, 2023.

ATTEST:

Amy K. Simpson
Secretary



David Holt
Chairman

REVIEWED as to form and legality.

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Assistant Municipal Counselor