



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

Board Clerk Use Only

Meeting Date: 4/01/10
Agenda Item #: R-4
Est. Start Time: 10:00 am
Date Submitted: 3/24/10

Agenda Title: Authorizing Settlement of *Tina Phillips v. Multnomah County, et al, United States District Court Case No. 10-043 KI*

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: April 1, 2010 Amount of Time Needed: 5 minutes
Department: Non-Departmental Division: County Attorney
Contact(s): Agnes Sowle
Phone: 503/988-3138 Ext. 83138 I/O Address: 503/500
Presenter(s): Carlo Calandriello

General Information

1. What action are you requesting from the Board?

Authorize settlement of the matter of *Tina Phillips v. Catherine Gorton and Multnomah County*, United States District Court Case No. 10-043 KI in the amount of \$27,500.00 inclusive of fees and costs.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

On February 8, 2008, Tina Phillips was arrested for a DUII and taken to MCDC. During the booking process at MCDC, physical force was used against Ms. Phillips when she failed to obey orders. As a result of the incident, Ms. Phillips filed a lawsuit alleging violation of her civil rights and assault and battery. The Complaint sought economic, non-economic and punitive damages in amounts to be determined at trial, plus attorney fees and costs.

3. Explain the fiscal impact (current year and ongoing).

N/A

4. Explain any legal and/or policy issues involved.

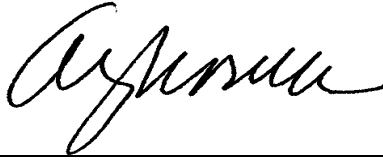
On December 18, 2003, the Board adopted Resolution 07-037 delegating authority to the County Attorney to settle claims and litigation against the County or its employees in amounts up to \$25,000 per case. The County Attorney must obtain Board approval for all settlements of over \$25,000.

5. Explain any citizen and/or other government participation that has or will take place.

N/A

Required Signature

Elected Official or
Department/
Agency Director:

A handwritten signature in black ink, appearing to read "Agustin", is written over a horizontal line.

Date: