

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** approving the settlement of the claims of Scott Jacoby, in the case styled Jacoby v. White, et al., No. 19-CV-00447-DGK, now pending in United States District Court for the Western District of Missouri, for a total payment by the County of \$727,000.00.

**RESOLUTION NO. 20335**, December 9, 2019

**INTRODUCED BY** Theresa Galvin, County Legislator

WHEREAS, Scott Jacoby has filed a lawsuit styled Jacoby v. White, et al., No. 19-CV-00447-DGK, now pending in United States District Court for the Western District of Missouri, seeking damages for alleged deprivation of constitutional rights; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$727,000.00, to be paid by the County to Scott Jacoby and/or his attorney, Carrie M. Brous; and,

WHEREAS, the proposed settlement will limit the County's financial obligation in this matter and is in the best interests of the health, safety, and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to settle the claims of Scott Jacoby by the total payment of \$727,000.00, in full, final, and complete release of all of the claims against the County and all of its employees, officers, agents, and servants, as to any damages incurred; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to issue a check or checks in an amount totaling \$727,000.00 in full and complete settlement of this claim, payable to Scott Jacoby and/or his attorney Carrie M. Brous, pursuant to the specific direction of the County Counselor.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20335 of December 9, 2019, was duly passed on December 9, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 1

Abstaining 0

Absent 0

12-10-19  
Date

  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 060 5160 56380  
ACCOUNT TITLE: Self Insurance Fund  
Non-Departmental  
Uninsured Claimants  
NOT TO EXCEED: \$250,000.00

Remaining funds are subject to payment in 2020 pursuant to a Settlement Agreement.

12-10-2019  
Date

  
Director of Finance and Purchasing

### Fiscal Note:

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

PC# \_\_\_\_\_

Date: December 4, 2019


RES # 20335

<u>Department / Division</u>	<u>Character/Description</u>	<u>Not to Exceed</u>
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<b>060 Self-Insurance Fund</b>		
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5160 Non-Departmental - Self Insurance	56380 Uninsured Claimants	\$ 250,000
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Remaining funds are subject to payment in 2020 pursuant to a settlement agreement.

 12/4/19  
Budget Office

\$ 250,000