



Jackson County Missouri

Jackson County Courthouse
415 E.12th Street, 2nd floor
Kansas City, Missouri 64106
(816)881-3242

Legislation Details (With Text)

File #:	16593	Version:	0	Name:	Victoria Perbeck, et al v. Rebbecca Lake Wood, et al
Type:	Resolution	Status:		Status:	Passed
File created:	3/31/2008	In control:		In control:	County Legislature
On agenda:	3/31/2008	Final action:		Final action:	3/31/2008
Title:	A RESOLUTION authorizing the County Counselor to settle the claims of Victoria Perbeck Distefano, as plaintiff and next friend to Michael Perbeck, and Anthony Distefano, in the case styled Victoria Perbeck, et al. v. Rebbecca Lake Wood, et al., Case No. 05-CV-00625-SOW, now pending in the United States District Court for the Western District of Missouri, for a total payment by the County of \$20,000.00.				
Sponsors:	Dennis Waits				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
3/31/2008	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claims of Victoria Perbeck Distefano, as plaintiff and next friend to Michael Perbeck, and Anthony Distefano, in the case styled Victoria Perbeck, et al. v. Rebbecca Lake Wood, et al., Case No. 05-CV-00625-SOW, now pending in the United States District Court for the Western District of Missouri, for a total payment by the County of \$20,000.00.

RESOLUTION #16593, March 31, 2008

INTRODUCED BY Dennis Waits, County Legislator

WHEREAS, Victoria Perbeck Distefano, as plaintiff and next friend to Michael Perbeck, and Anthony Distefano have filed a lawsuit, styled Victoria Perbeck, et al. v. Rebbecca Lake Wood, et al., Case No. 05-CV-00625-SOW, now pending in the United States District Court for the Western District of Missouri, seeking compensation for damages they allegedly incurred as a result of infringement upon constitutionally protected rights and violations of the probate laws; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$20,000.00 to be paid by the County to Victoria Perbeck (as plaintiff and next friend to Michael Perbeck) and Anthony Distefano, and Jason Davey and Tyler Breed, counsel for Plaintiffs; and,

WHEREAS, the proposed settlement agreement 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 Victoria Perbeck Distefano, as plaintiff and next friend to Michael Perbeck, and Anthony Distefano in the lawsuit styled Victoria Perbeck, et al. v. Rebbecca Lake Wood, et al., Case No. 05-CV-00625-SOW, by the total payment of \$20,000.00, in full, final, and complete release of all of their 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 is authorized to issue checks in an amount totaling \$20,000.00 in full and complete settlement of this claim, pursuant to the specific instructions 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:

Senior Deputy County Counselor

County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #16593 of March 31 , 2008 was duly passed on March 31, 2008 by the Jackson County Legislature. The votes thereon were as follows:

Yeas	<u>7</u>	Nays	<u>0</u>
Abstaining	<u>0</u>	Absent	<u>2</u>

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: 060-5160-6380

ACCOUNT TITLE: Self Insurance Fund
Non-Departmental
Uninsured Claimants

NOT TO EXCEED: \$20,000.00

Date

Director of Finance and
Purchasing