

11/14/2022

**118-R-22**

**A RESOLUTION**

**Authorizing the Settlement and Release of all Claims in  
*Sheldon Mack v. City of Evanston, et al.***

**WHEREAS**, Case No. 2022-CV-2560 in the Northern District of Illinois, Eastern Division, concerns a lawsuit against the City of Evanston; and

**WHEREAS**, the parties seek to settle and release all claims pursuant to the terms of a Release and Settlement Agreement (“Settlement Agreement”) negotiated by attorneys of record in this litigation;

**WHEREAS**, the City will pay each plaintiff according to an agreed payment schedule and Plaintiffs’ counsel of record a settlement amount totaling Eighty Five Thousand Dollars (\$85,000.00) (“Settlement Payment”); and

**WHEREAS**, pursuant to the terms of the Settlement Agreement Plaintiff’s counsel will obtain an order from the court dismissing with prejudice all claims brought against Defendant in Case No. 2022-CV-2560; and

**WHEREAS**, in compliance with Section 2(e) of the Open Meetings Act, 5 ILCS 120/2(e), the City must approve final action on settlement of this litigation in open session; and

**WHEREAS**, issuance of the City’s Settlement Payment is not an admission of liability.

**NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS:**

**SECTION 1:** That the foregoing recitals are hereby found as fact and

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incorporated herein by reference.

**SECTION 2:** The City is hereby authorized to approve settlement with Plaintiffs' counsel of record and issue the City's Settlement Payment pursuant to the terms of the Settlement Agreement.

**SECTION 3:** Resolution 118-R-22 shall be in full force and effect from and after its passage and approval, in the manner provided by law.

*Daniel Biss*

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Daniel Biss, Mayor

Attest:

*Stephanie Mendoza*

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Stephanie Mendoza, City Clerk

Approved as to form:

*Nicholas E. Cummings*

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Nicholas E. Cummings, Corporation Counsel

Adopted: November 14, 2022