

3-R-24

A RESOLUTION

**Authorizing the Settlement and Release of all Claims in
*Clare Kelly & Mary Rosinski v. City of Evanston***

WHEREAS, Case No. 2021 CH 00515 in the Chancery Division of Cook County, 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 Plaintiffs a settlement amount totaling fifteen thousand nine hundred sixteen dollars and twenty cents (\$15,916.20) (“Settlement Payment”); and

WHEREAS, pursuant to the terms of the Settlement Agreement Plaintiffs’ counsel obtained an order from the court dismissing with prejudice all claims brought against Defendant in Case No 2021 CH 00515; 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

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 3-R-24 shall be in full force and effect from and after its passage and approval, in the manner provided by law.

Daniel Biss

Daniel Biss, Mayor

Attest:

Stephanie Mendoza

Stephanie Mendoza, City Clerk

Approved as to form:

Alexandra B. Ruggie

Alexandra B. Ruggie, Interim Corporation Counsel

Adopted: January 08 , 2024