

RESOLUTION NO. 6063

**A RESOLUTION APPROVING COUNTER-OFFER OF
SETTLEMENT OF PENDING LITIGATION IN
CASE NO. CJ-2013-851, GARY GAMMILL v. TDA**

WHEREAS, the Tulsa Development Authority (TDA) HAS previously been sued by Gary Gammill (Gammill) in Case No. CJ-2013-851 in the District Court of Tulsa County for the alleged personal injury from a fall on a staircase located upon property acquired by TDA in furtherance of the Kendall-Whittier West Park project in the City of Tulsa, Tulsa County, State of Oklahoma; and,

WHEREAS, Gammill has extended a settlement offer in excess of the amount of \$10,000.00 to be paid by TDA to Gammill in settlement of all claims of Gammill; and,

WHEREAS, TDA's General Counsel has recommended that the TDA reject said settlement offer and submit a counter settlement offer in an amount not more than that recommended by said General Counsel to be paid by TDA (on behalf of TDA and the City) to Gammill in settlement of all claims of Gammill in said litigation; and,

WHEREAS, the Board of Commissioners of the Tulsa Development Authority, based upon the recommendations of its General Counsel and the additional information presented to the Commissioners in executive session, believes that it would be in the best interest of the TDA, the City of Tulsa and the general public to submit a counter offer of settlement in Case No. CJ-2013-851, upon the proposed terms and conditions as set forth above.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TULSA DEVELOPMENT AUTHORITY, to-wit:

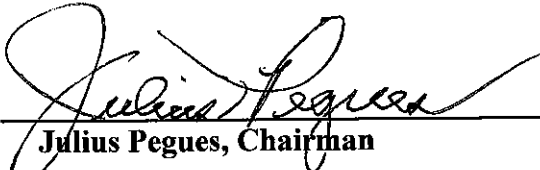
Section 1. That the Board of Commissioners of the Tulsa Development Authority does hereby reject Gammill's settlement offer and does approve and consent to the submission by TDA's General Counsel of a counter settlement offer to Gammill in an amount not more than that recommended by said General Counsel to be paid by TDA (on behalf of TDA and the City) to Gammill in settlement of all claims of Gammill in said litigation.

Section 2. The Chairman and General Counsel for the TDA are authorized to prepare and execute all documents necessary to effect a settlement of the pending litigation Tulsa County District Court Case No. CJ-2013-851 in the event of Gammill's acceptance of TDA's counter settlement offer upon with the terms and conditions set forth above.


Section 3. This Resolution shall take effect immediately.

PASSED and ADOPTED this 12th day of February, 2015.

TULSA DEVELOPMENT AUTHORITY

By: 
Julius Pegues, Chairman

Approved as to legal form and adequacy:


Jot Hartley, General Counsel
The Hartley Law Firm, PLLC