

1 RESOLUTION NO. 2016-375

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE October 17, 2016

COMMITTEE Rules

6  
7 **A Resolution authorizing the County Executive to execute a settlement agreement, in an**  
8 **amount not to exceed \$32,500.00, to settle all claims arising out of or concerning issues**  
9 **raised in a lawsuit, Jillian Hobbs, et al. vs. County of Summit, et al., for the Executive, the**  
10 **Prosecutor and the Sheriff, and declaring an emergency.**

11  
12 WHEREAS, Jillian Hobbs filed a lawsuit against the County of Summit and County  
13 Sheriff's Deputies Glenn Stott and Scott Plymire, Jillian Hobbs, et al. vs. County of Summit, et  
14 al., Case No. 5:10-CV-2069, before Judge Sara Lioi in the United States District Court for the  
15 Northern District of Ohio, alleging federal and state civil rights claims arising out of an arrest  
16 (the "Lawsuit"); and

17  
18 WHEREAS, an appeal by Ms. Hobbs, Case No. 14-3797 and a cross appeal by the  
19 County, Case No. 14-3867 are currently pending before the Sixth Circuit Court of Appeals  
20 (collectively, the "Appeals"); and

21  
22 WHEREAS, in consultation with the County Prosecutor, the County Executive and the  
23 County Sheriff have reached terms of settlement with Ms. Hobbs through her legal counsel to  
24 settle the Lawsuit and the Appeals for an amount not to exceed \$32,500.00; and

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26 WHEREAS, pursuant to the settlement agreement, Ms. Hobbs will dismiss her Lawsuit  
27 and her appeal with prejudice and release the County and Deputy Stott and Deputy Plymire from  
28 her claims against them; and

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30 WHEREAS, pursuant to the settlement agreement, the County will pay Ms. Hobbs an  
31 amount not to exceed \$32,500.00 and dismiss its cross appeal with prejudice; and

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33 WHEREAS, this Council finds and determines, after reviewing all pertinent  
34 information, that it is necessary and in the best interest of the County of Summit to settle the  
35 Lawsuit and the Appeals for an amount not to exceed \$32,500.00 for the aforementioned  
36 reasons;

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38 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
39 of Ohio, that:

40  
41 SECTION 1

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43 The County Executive is hereby authorized to execute a settlement agreement, in an  
44 amount not to exceed \$32,500.00, to settle all claims arising out of or concerning issues raised in  
45 a lawsuit, Jillian Hobbs, et al. vs. County of Summit, et al., Case No. 5:10-CV-2069, before  
46 Judge Sara Lioi in the United States District Court for the Northern District of Ohio, alleging  
47 federal and state civil rights claims arising out of an arrest. The settlement agreement shall  
48 include a release by Jillian Hobbs of all claims against the County of Summit, County Sheriff's  
49 Deputy Glenn Stott and County Sheriff's Deputy Scott Plymire and require a dismissal of Ms.  
50 Hobbs' appeal to the United States Sixth Circuit Court of Appeals, Case No. 14-3797, with  
51 prejudice. Pursuant to the settlement agreement, the County will agree to dismiss its cross  
52 appeal to the United States Sixth Circuit Court of Appeals, Case No. 14-867, with prejudice.  
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1 RESOLUTION NO. 2016-375

2 PAGE TWO

3  
4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and  
7 welfare of the citizens of the County of Summit and for the further purpose of immediately  
8 sparing county taxpayers further expense related to Ms. Hobbs' lawsuit against the County of  
9 Summit and County Sheriff's Deputies Stott and Plymire and the related appeals.

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11 SECTION 3

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13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16  
17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED September 26, 2016

27  
28 ADOPTED October 17, 2016

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33 \_\_\_\_\_  
34 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

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42 APPROVED October 20, 2016

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40 \_\_\_\_\_  
41 EXECUTIVE

42 ENACTED EFFECTIVE October 20, 2016

Voice Vote: YES: 10-0 - Crawford, Dickinson, Donofrio, Feeman,  
Kostandaras, Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: Lee