

1 RESOLUTION NO. 2019-138

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 15, 2019 COMMITTEE Rules

6
7 **A Resolution authorizing the County Executive to pay an amount not to exceed \$75,000.00,**
8 **representing the County's self-insured retention, to Tokio Marine Houston Casualty**
9 **Company, the County's liability insurer, toward the costs of legal representation and**
10 **services on behalf of the County and Tokio Marine Houston Casualty Company, in Jane**
11 **Doe v. Summit County, et al., for the Executive and the Sheriff, and declaring an**
12 **emergency.**

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14 WHEREAS, Jane Doe has filed a lawsuit arising out of an alleged incident concerning
15 Lieutenant Antonio Williamson that is alleged to have occurred on March 19, 2017 against the
16 County, the Summit County the Sheriff's Department, Sheriff Steve Barry and Lieutenant
17 Williamson, Jane Doe v. Summit County, et al., Case No. CV-2019-03-1047, before Kathryn
18 Michael in the County of Summit Court of Common Pleas (the "Lawsuit"); and

19
20 WHEREAS, the County's liability insurer, Tokio Marine Houston Casualty Company,
21 has agreed to defend the County and has retained legal counsel, Mazanec, Raskin & Ryder Co.,
22 L.P.A., to provide legal representation and services on behalf of the County and Tokio Marine
23 Houston Casualty Company in the Lawsuit; and

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25 WHEREAS, pursuant to the terms of its insurance contract with Tokio Marine Houston
26 Casualty Company, the County has a \$75,000.00 self-insured retention on a claims-made basis;
27 and

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29 WHEREAS, in order to have Mazanec, Raskin & Ryder Co., L.P.A., provide legal
30 representation and services on behalf of the County and Tokio Marine Houston Casualty
31 Company in the lawsuit, the County is required to pay the first \$75,000.00 of costs, representing
32 its self-insured retention; and

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34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
35 that it is necessary and in the best interest of the County of Summit for the County Executive to
36 pay an amount not to exceed \$75,000.00, to Tokio Marine Houston Casualty Company toward
37 the costs of legal representation and services by legal counsel, Mazanec, Raskin & Ryder Co.,
38 L.P.A., on behalf of the County and Tokio Marine Houston Casualty Company in the Lawsuit;

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

42
43 SECTION 1

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45 The County Executive is hereby authorized to pay an amount not to exceed \$75,000.00,
46 representing the County's self-insured retention, to Tokio Marine Houston Casualty Company,
47 the County's liability insurer, toward the costs of legal representation and services by legal
48 counsel, Mazanec, Raskin & Ryder Co., L.P.A., on behalf of the County and Tokio Marine
49 Houston Casualty Company in Jane Doe v. Summit County, et al., Case No. CV-2019-03-1047,
50 before Kathryn Michael in the County of Summit Court of Common Pleas (the "Lawsuit").
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1 RESOLUTION NO. 2019-138

2 PAGE TWO

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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 residents of the County of Summit and for the further purpose of immediately
8 obtaining legal representation and services by legal counsel, Mazanec, Raskin & Ryder Co.,
9 L.P.A., on behalf of the County and Tokio Marine Houston Casualty Company in the Lawsuit.

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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.

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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 April 1, 2019

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28 ADOPTED April 15, 2019

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32 _____
33 CLERK OF COUNCIL

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37 _____
38 PRESIDENT OF COUNCIL

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40 APPROVED April 16, 2019

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38 _____
39 EXECUTIVE

40 ENACTED EFFECTIVE April 16, 2019

Voice Vote 11-0: Dickinson, Donofrio, Feeman, Hamilton,
Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite