

1 RESOLUTION NO. 2018-393

2
3 SPONSOR Ms. Shapiro

4
5 DATE October 15, 2018

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**
11 **Natasha Muhammad v. County of Summit, et al., for the Executive and the Sheriff, and**
12 **declaring an emergency.**

13
14 WHEREAS, Natasha Muhammad has filed a lawsuit arising out of her August 24, 2017
15 arrest for Disorderly Conduct and Obstructing Official Business against the County, Summit
16 County Sheriff Steve Barry and Sheriff’s Deputy Christopher R. Boyd, Natasha Muhammad v.
17 County of Summit, et al., Case No. CV-2018-08-3286, before Judge Alison E. McCarty in the
18 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

24
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

28
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

33
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

44
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 Natasha Muhammad v. County of Summit, et al., Case No. CV-
50 2018-08-3286, before Judge Alison E. McCarty in the County of Summit Court of Common
51 Pleas (the “Lawsuit”).
52

1 RESOLUTION NO. 2018-393

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 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.

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.

24
25
26 INTRODUCED September 24, 2018


27
28 ADOPTED October 15, 2018

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30 
31 _____
32 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

33
34 APPROVED October 16, 2018

35
36 
37 _____
38 EXECUTIVE

39
40 ENACTED EFFECTIVE October 16, 2018

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