

**MEMORANDUM**

TO: Board of Shawnee County Commissioners

FROM: Richard V. Eckert, Shawnee County Counselor

DATE: May 24, 2010

RE: Settlement Agreement and Release for *Haake v. Shawnee County, et al.*

Please place this item on the Thursday, May 27, 2010 Commission agenda.

Please find attached the Settlement Agreement and Release for *Haake v. Shawnee County, et al.*, U.S. District Court, District of Kansas, Case Number 08-2537-KHV-DJW. The several defendants in this matter filed their motions for Summary Judgment on April 16, 2010. This resulted in a resumption of the negotiation efforts that successfully led to the parties reaching this agreement.

The consideration to be paid for the Settlement Agreement and Release is Three Hundred Fifty Thousand Dollars (\$350,000). The estate and the heirs release all their claims against the defendants, and the defendants do not admit any liability for any of the allegations. This settlement is simply an economic decision based upon the uncertainties of further litigation made by all the parties. Shawnee County's counsel recommends that the Board of County Commissioners approve this settlement and pay the consideration to the plaintiffs.

RVE/klm

Attachment