

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Paul Novros v. City and Fireman's Fund Insurance Company and The American Insurance Company v. City, Los Angeles Superior Court Case No. BC521560. (This matter involves an inverse condemnation claim for damages caused by a sewer backup into plaintiff's business.), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the City Attorney to execute a settlement agreement and all other documents necessary to implement the proposed settlement with Plaintiff and with his carriers for a total of \$338,500; \$100,000 to Fireman's Fund Insurance Company and The American Insurance Company, and \$238,500 to Plaintiff.
2. AUTHORIZE and INSTRUCT the Chief Accounting Officer, Department of Public Works, without further instructions, to draw the following demands from the Sewer Operation and Maintenance Fund No. 760, Account No. 50LX82 – Sanitation Expense and Equipment, Object No. 653 Liability Payout:
 - a. \$100,000 payable to Cozen O'Connor
 - b. \$238,500 payable to Paul Novros
3. AUTHORIZE the City Attorney to execute the necessary documents to carry out the settlement in accordance with the above terms.
4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

PRESENTED BY _____
PAUL KORETZ
Councilmember, 5th District

SECONDED BY _____
BOB BLUMENFIELD
Councilmember, 3rd District