
C O U N C I L C O M M U N I C A T I O N

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE
NOVEMBER 2, 1988

SUBJECT: PROPOSED SETTLEMENT OF LITIGATION, HEGWER v. CITY OF LODI, et al.

PREPARED BY: City Attorney

RECOMMENDED ACTION: That the City Council, **by** motion action, approve settlement of litigation as specified below.

BACKGROUND INFORMATION: An offer has been made to settle the lawsuit entitled Hegwer v. City of Lodi, et al., filed August 4, 1988 in the U. S. District Court, Sacramento, for the amount of \$18,500.00. This lawsuit alleges arrest for drunk driving without **probable cause**, occurring November 11, 1987.

Such proposed settlement **would** in no way **be** deemed an admission of wrongdoing by the **City** or any of the City's employees, but a compromise reached to avoid **the** inconvenience and expense of trial. **if** approved by the Council, the settlement **will also** dispose of a pending Workers' Compensation claim filed by the Plaintiff.

Respectfully submitted,


B. W. McCall

City Attorney

BM:vc

CCCHEGWR/TXTA.01V