



## Board Summary Report

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**File #:** 24-292

**Agenda Date:** 6/11/2024

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**To:** Board of County Commissioners

**Through:** Ronald Carl, County Attorney

**Prepared By:**

Ben Swartzendruber, Sr. Assistant County Attorney

**Subject:**

Approval of a resolution authorizing settlement of Efosa Osazuwa Notice of Claim

**Purpose and Request:**

The County received a Notice of Claim on behalf of claimant Efosa Osazuwa related to a motor-vehicle accident that occurred on May 22, 2023. This BSR and the accompanying resolution seek the Board's formal approval of the settlement the parties agreed to in principle and as previously discussed with the Board.

**Background and Discussion:** On May 22, 2023, claimant was driving a vehicle westbound on Arapahoe Road near the intersection of South Aurora Parkway. At the same time, an Arapahoe Deputy Sheriff was traveling eastbound on Arapahoe. The Deputy turned left toward northbound South Aurora Parkway, resulting in a collision with the vehicle driven by claimant. Based on the available evidence, the County may be found liable for the accident. With the Board's blessing, the parties' counsel negotiated an agreement in principle on the terms of a settlement, subject to formal approval by the Board.

**Alternatives:** If the Board rejects the settlement, claimant will file litigation, and the County could risk judgment being entered in claimant's favor in excess of the settlement amount.

**Fiscal Impact:** The County will be required to pay the settlement amount agreed to by the parties that was previously discussed with the Board.

**Alignment with Strategic Plan:**

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

**Concurrence:** Risk Management concurs with this request.

**Resolution:** A draft resolution is included.