

RESOLUTION NO. 24-~~89~~

A RESOLUTION APPROVING ACTION TO ADOPT SETTLEMENT OF LAWSUIT TITLED SHARON DALTON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ANGELA LIGGANS V. CHRIS ELLIOTT, IN HIS OFFICIAL CAPACITY AS WAGONER COUNTY SHERIFF, 23-CV-139-RAW-GLJ (EASTERN DISTRICT OKLAHOMA)

WHEREAS, Chris Elliott in his Official Capacity as Sheriff of Wagoner County is currently identified in the above-mentioned lawsuit as a party Defendant; and

WHEREAS, official capacity suits generally represent only another way of pleading an action against an entity of which an officer is an agent, the Board of County Commissioners of the County of Wagoner has authority to settle this matter; and

WHEREAS, the Board of County Commissioners of the County of Wagoner has determined it to be in the interest of the County of Wagoner to settle this matter; and

WHEREAS, the Association of County Commissioners of Oklahoma, Self-Insured Group (“ACCO-SIG”) has agreed to pay the policy limits less attorney’s fees and costs pursuant to the reducing liability coverage provided to Wagoner County in its liability protection plan. The amount to be paid by ACCO-SIG has determined to be \$483,156.70; and

WHEREAS, the Board of County Commissioners of the County of Wagoner herein agrees to settle this matter in the amount of \$13,500,000.00 (Thirteen million, five hundred thousand dollars) which will be reduced by the amount to be paid by ACCO-SIG. Thus the amount to be paid by the County of Wagoner is \$13,016,843.30; and

WHEREAS, the Board of County Commissioners of the County of Wagoner resolves that this full and final settlement includes no liability admitted on behalf of any of the Defendants named in this lawsuit; and

WHEREAS, the Board of County Commissioners of the County of Wagoner resolves that the payment of this settlement may be paid over an extended period of time, to the extent permitted by applicable law and this payment schedule will be determined with the assistance of financial advisors; and

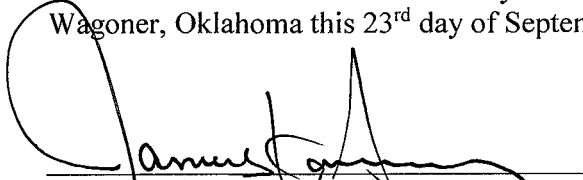
WHEREAS, the parties to this lawsuit have agreed that post-judgment interest will not begin to accrue on the settlement amount until January 1, 2025. The federal interest rate in effect on July 16, 2024, pursuant to 28 U.S.C. § 1961, shall be the applicable post-judgment interest rate; and

WHEREAS, the Board of County Commissioners of the County of Wagoner has reviewed and approves the Settlement Agreement in this matter.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Wagoner, Oklahoma, that:

The Board of County Commissioners of the County of Wagoner herein approves the settlement of this lawsuit with any additional terms to be included in the Journal Entry of Judgment Pursuant to Settlement which is to be approved by the Court in the associated lawsuit.

PASSED and APPROVED by the Board of County Commissioners of the County of Wagoner, Oklahoma this 23rd day of September, 2024.



JAMES HANNING
DISTRICT 1 COMMISSIONER



CHRIS EDWARDS
DISTRICT 2 COMMISSIONER



TIM KELLEY
DISTRICT 3 COMMISSIONER



Attest: Lori Hendricks, County Clerk

