

City of Fort Worth, Texas

# Mayor and Council Communication

DATE: 09/16/25 M&C FILE NUMBER: M&C 25-0836

LOG NAME: 12TYLER CATON ET AL LAWSUIT SETTLEMENT

SUBJECT

(ALL) Authorize Settlement and Payment in the Total Amount of \$160,000.00 for Full and Final Settlement of All Claims Related to the Lawsuit Styled *Tyler Caton et al v. City of Fort Worth, Texas*, Cause No. 352-354665-24, in the 352nd District Court, Tarrant County, Texas, and Authorize City Personnel to Execute and File the Necessary Documents to Dispose of this Lawsuit

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize settlement and payment in the total amount of \$160,000.00 to Tyler Caton, Individually and as next friend of E.R.C., a minor, and Destiny Jordan Lee Scarim, Individually and as next friend of A.M.G. and L.A.G., minors, and to their attorneys, Tony Choi and The Witherite Law Group, for full and final settlement of all claims related to the lawsuit styled *Tyler Caton et al v. City of Fort Worth, Texas*, Cause No. 352-354665-24, in the 352nd District Court, Tarrant County, Texas; and
2. Authorize the appropriate City personnel to execute all releases, agreements and court filings necessary to complete the settlement.

DISCUSSION:

Tyler Caton and Destiny Jordan Lee Scarim, Plaintiffs in the above-entitled and numbered cause, allege that on or about April 7, 2024, they and their three minor children received personal injuries resulting from a collision on Handley Ederville Road in Fort Worth, Tarrant County, Texas. Plaintiffs further allege that the negligence of the City of Fort Worth was the proximate cause of the accident.

On July 18, 2024, a suit was filed against the City in the above-entitled and numbered cause, as a result of such accident and all injuries and damages allegedly suffered by Plaintiffs and their children.

The parties mediated the matter on July 30, 2025. Under the circumstances, it is the best interest to the City to settle all issues related to Plaintiffs' claims for \$160,000.00.

Approval of this settlement should not be construed as an admission of liability by the City of Fort Worth, as any liability in this matter is denied.

Funding is budgeted in the Lawsuit Payments/Settlements account within the Risk Financing Fund for the Human Resources Department.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the recommendations, funds are available in the current operating budget, as previously appropriated, in the Risk Financing Fund. Prior to an expenditure being incurred, the Human Resources Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: ALL ACMs 6122

Originating Business Unit Head: Leann Guzman 8973

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