

City of Fort Worth, Texas

# Mayor and Council Communication

**DATE:** 04/25/23

**M&C FILE NUMBER:** M&C 23-0305

**LOG NAME:** 14PRADO LAWSUIT SETTLEMENT

## **SUBJECT**

(ALL) Authorize Settlement of the Claims in the Amount of \$238,432.00 to Abraham Prado and His Attorney Patterson Law Group Related to the Lawsuit Entitled Abraham Prado V. The City of Fort Worth, The Fort Worth Police Department, and Charles Patton, Cause No. 153-335460-22, In the 153rd Judicial District Court, Tarrant County, Texas

---

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize settlement and payment in the amount of \$238,432.00 to Abraham Prado and his attorney Patterson Law Group, for full and final settlement of all claims related to the lawsuit styled Abraham Prado V. The City of Fort Worth, The Fort Worth Police Department, and Charles Patton, Cause No. 153-335460-22, In the 153rd Judicial District Court, Tarrant County, Texas
  2. Authorize the appropriate City personnel to execute all releases and agreements necessary to complete the settlement.
- 

## **DISCUSSION:**

On August 16, 2020, Fort Worth Police Department Officer C. Patton was traveling westbound on Seminary Drive when he disregarded the red light and struck claimant vehicle, driven by Joseph Humphrey, who was traveling northbound on William Fleming. Officer C. Patton was not in emergency mode when the accident occurred. Officer C. Patton advised that he was looking at his Mobile Data Computer and not the roadway. Abraham Prado, was a front seat passenger in the vehicle driven by Joseph Humphrey. Mr. Prado suffered extensive injuries due to the accident and incurred extensive medical bills. Consequently, a lawsuit entitled Abraham Prado V. The City of Fort Worth, The Fort Worth Police Department, and Charles Patton was filed. An agreement has been reached to settle Mr. Prado's lawsuit for \$238,432.00 subject to City Council approval.

Funding is budgeted in the Lawsuit Payments/Settlements account of the Human Resources Department's Risk Financing Fund, as appropriated.

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 this 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:** Jessica L. McEachern 5804

**Originating Business Unit Head:** Dianna Giordano 7783

## **Additional Information Contact:**

Expedited