

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO IMPLEMENT A SETTLEMENT IN LITIGATION STYLED *YAROSLAV FARBER v. CITY OF HOLLYWOOD, FLORIDA, ET. AL.*

WHEREAS, on or about April 14, 2020, plaintiff Yaroslav Farber ("Claimant") filed a federal action against the City and Caryl Shuham, Douglas Gonzales, and Luis Lopez, individually, claiming that the defendants violated his civil rights resulting from a dispute as to the construction and permitting of a boat dock at Claimant's property located at 1020 N. Northlake Drive in Hollywood, Florida; and

WHEREAS, defendants Caryl Shuham and Douglas Gonzales filed counterclaims against Claimant asserting that Claimant's actions against those defendants were the result of a malicious prosecution by him; and

WHEREAS, prior to trial of the cause, the parties attended a second, Court-ordered mediation of the matter on March 25, 2022, at which the parties as well as the City's insurer, Ironshore Specialty Insurance Company, reached a tentative Confidential Settlement Agreement and Comprehensive Release of all claims; and

WHEREAS, as part of the settlement, the City, through its insurer, shall tender, on behalf of the City, the settlement sum to Claimant; and

WHEREAS, by entering into this settlement, none of the defendants admit any liability or wrongdoing, but rather, settlement is a business decision that is recommended by the City's insurer solely to avoid the costs of a protracted trial and to avoid the uncertainties associated with any trial.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it approves and authorizes the settlement of litigation styled *Yaroslav Farber v. City of Hollywood, Florida, et al.*, to be paid on behalf of the City by the City's insurer.

Section 2: That the appropriate City officials are authorized to take all steps necessary to implement the settlement.

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Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2022.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida only:

DOUGLAS R. GONZALES
CITY ATTORNEY