



CR 2A Settlement Agreement

Janet and Bobby Ball, and Eric Boris v. The City of Seattle

1. This agreement is made between the parties by and through their respective attorneys.
2. The City will pay to Plaintiffs Janet and Bobby Ball the total amount of \$5.5 million.
3. The City will pay to Plaintiff Eric Boris the total amount of \$250,000.00.
4. The above settlement payments are in full and final settlement of any and all claims Plaintiffs asserted or could have asserted against the City arising out of the incidents that occurred on or around July 22, 2019 with respect to Eric Boris and September 25, 2019 with respect to Janet and Bobby Ball.
5. The City will provide notice of the settlement in accordance with Ordinance 5.24.020 to the City Council in its next executive meeting for September 9, 2024.
6. The City will issue the Boris and Ball checks for the settlement amounts within 14 business days from the date of the executive session and Plaintiffs' providing the City with all required documents (mutually agreeable Release and Hold Harmless agreeing to satisfy all valid liens arising out of the subject accidents) to issue the settlement check, including but not limited to any Medicare related documents (conditional payment letter from Medicare for Janet Ball). The Balls and Eric Boris will also permit their attorneys to sign a Stipulated Dismissal of the lawsuit with prejudice and without fees or costs to either side.
7. The City will need a conditional payment letter from Medicare with respect to Janet Ball. The City will withhold the amount owed to Medicare from the Balls' settlement payment and the City will issue a check made out payable to Medicare from the settlement proceeds of the Balls and send it to their attorney, Catherine Fleming.
8. Plaintiffs' counsel will advise defense counsel on to whom the settlement checks should be made payable (except of the Medicare check) and will provide defense counsel with the corresponding firm W-9.
9. The City's attorneys plan to file the Stipulation and Order of Dismissal after the funds to the Balls and Eric Boris have been paid.
10. The parties will jointly file a Notice of Settlement with the Court ~~immediately upon acceptance~~ so that the trial date can be stricken. *J G*

