

**LRB-FISCAL REVIEW SECTION ANALYSIS**

**JUDICIARY AND LEGISLATION COMMITTEE  
JULY 28, 2003**

**ITEM 4, FILE # 030473  
MARK A. RAMION**

File # 030473 is a resolution authorizing partial settlement of the lawsuit entitled Gregory Thornton, et al., Case No. 00-CV-000152.

**Background**

This resolution authorizes a partial settlement of the lawsuit entitled Gregory Thornton, et al., Case No. 00-CV-000152.

**Discussion**

1. This claim is to reimburse Attorney Jonathan Cermele for representing Lamont Hodnett in the referenced civil action. Attorney Cermele was awarded fees and costs by the trial court.
2. This civil lawsuit is a related development from the off-duty shooting of the plaintiff, Gregory Thornton by former MPD officer Lamont Hodnett. This civil lawsuit concluded with the judge determining that former officer Hodnett violated Mr. Thornton's civil rights by using excessive force in shooting him.
3. Although this case conclusion is being appealed by city, the City Attorney is recommending payment to Attorney Cermele for fees and expenses incurred in full and final settlement for representing Lamont Hodnett.

**Fiscal Impact**

1. The total amount of this resolution is \$42,603.43, to be expended from the Damages and Claims Special Purpose Account.
2. The 2003 Damages and Claims SPA is budgeted for \$2.4 million. The current balance of this SPA, before approval of this claim, is approximately \$607,800 (74% expended).

**Further Information**

The City Attorney has recommended that this claim be expended from the Damages and Claims SPA rather than the Fire and Police Discipline and Citizen Complaint SPA. This specific claim is related to a civil action rather than a criminal complaint or disciplinary proceeding against an officer.

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LRB-Fiscal Review Section  
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