

COMMISSIONERS COURT ADJOURNED TO EXECUTIVE SESSION AT 11:39 A.M. ON TUESDAY, NOVEMBER 9, 1999.

AGENDA ITEM # 30

Discuss personnel matters: (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.074 pertaining to personnel).

No action was taken in executive session.

AGENDA ITEM # 31

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Discuss real estate acquisition (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.0-72 pertaining to real property)

No action was taken in executive session.

COMMISSIONERS COURT RECONVENED FROM EXECUTIVE SESSION AT 12:13 P.M. ON TUESDAY, NOVEMBER 9, 1999.

COMMISSIONERS COURT ADJOURNED TO EXECUTIVE SESSION AT 9:45 A.M. ON TUESDAY, NOVEMBER 9, 1999.

AGENDA ITEM # 32

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Discuss settlement of pending litigation: Griffin/Barnhart/Bloomstrom vs. Texas DPS, Williamson County (EXECUTIVE SESSION REQUESTED as per VTCA Govt. Code sec. 551.071 consultation with attorney)

No action was taken in executive session

COMMISSIONERS COURT RECONVENED FROM EXECUTIVE SESSION AT 9:50 A.M. ON TUESDAY, NOVEMBER 9, 1999.

AGENDA ITEM # 33

Discuss and take appropriate action on personnel.

No action was taken on this agenda item.

AGENDA ITEM # 34

Discuss and take appropriate action on real estate acquisition.

No action was taken on this agenda item.

AGENDA ITEM # 35

Discuss and take appropriate action regarding settlement of pending litigation: Griffin-Barnhart/Bloomstrom vs. Texas DPS, Williamson County and Lee County.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To authorize attorney Mike Davis to settle the litigation: Griffin-Barnhart/Bloomstrom vs. Texas DPS, Williamson County and Lee County for \$260,000.00 with \$10,000.00 share from Williamson County.

Vote: Motion carried 5 - 0

< Clerk copy here >

WALSH, AKINS & DAVIS, P.C.

ATTORNEYS & COUNSELORS AT LAW

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Board Certified CIVIL TRIAL LAW
Board Certified FAMILY LAW,
Texas Board of Legal Specialization

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LAURIL NOWLIN
Board Certified FAMILY LAW
Texas Board of Legal Specialization

AMFF C. SLUSHER
MARK H. SICKLES

November 1, 1999

Honorable John Doertler
County Judge
710 Main Street
Georgetown, Texas 78626
VIA FAX NO. 943-1662

Gene Taylor
County Attorney
405 Martin Luther King Blvd.
Georgetown, Texas 78626
VIA FAX NO. 943-1120

Sheriff Ed Richards
Williamson County Sheriff
508 South Rock Street
Georgetown, Texas 78626
VIA FAX NO. 943-1444

Re: Cause No. A-98-CA-319-JN; Diane Griffin-Barnhart and Eugene Blomstrom v.
Texas Department of Public Safety, Williamson County, and Lee County; In the
United States District Court for the Western District of Texas, Austin Division

Gentlemen:

approved 11-9-99
John C. Taylor
The above referenced matter has settled for \$260,000.00. Williamson County's share is
\$10,000.00. Please put this on the agenda for November 9, 1999, so we can get a check issued as
soon as possible to get past this case. I am enclosing copies of the correspondence confirming
settlement.

If you have any questions, please do not hesitate to call.

Sincerely,

[Signature]
Mike Davis

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MPD/jlm
9MPD3671:MD77J/2394-030
enclosure



November 1, 1999

Leslie McCollom
O'Hanlon & Associates
808 West Avenue
Austin, Texas 78701

Re: *Diane Griffin-Barnhart and Eugene Blomstrom v. Texas Department of Public Safety, Williamson County, Texas and Lee County, Texas*, Civil Action No. A-CA-319-JN, in the United States District Court for the Western District of Texas, Austin Division

Dear Leslie McCollom:

This will confirm that the above-referenced case has been settled for \$260,000 inclusive of attorney's fees and costs. The necessary documents to implement this settlement will follow.

The respective contributions are \$220,000 from DPS, \$30,000 from Lee County and \$10,000 from Williamson County, together with the agreement among the Defendants that all claims and cross claims are to be dismissed. Thank you to all Counsel for assistance in bringing this matter to a close.

Sincerely,


H. Clay McGuffey
Assistant Attorney General

cc: Mike Davis
cc: Robert Bass

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FACSIMILE COVER PAGE

To: Mike Davis

Fax #: 2449733

Company: Walsh, Akins & Davis, P.C.

From: Leslie McCollom

Pages: 1 (including cover)

Sent: 10/29/1999 at 4.41:28 PM

Subject: Barnhart, et al. v. DPS, et al., ; tentative settlement

MESSAGE:

Kevin and Clay spoke earlier this afternoon, and reached a tentative agreement, between the lawyers, to settlement this case for a total of \$260,000.00. It is my understanding that Clay was going to confirm this agreement with his client. We would like to be able to notify Judge Nowlin that he will not have to try this case as early as possible, and to be able to release witnesses under subpoena. Please advise as to when we can make these notifications, and get a settlement agreement drafted. Clay, is this a final deal yet? We have accepted, but need to get confirmation back from you, as I understand what you told Kevin. I mean, I know it could theoretically get turned down on the 8th floor or at the Governor's office, but have the lawyers and clients all agreed to the sum of \$260,000? Please let me know something as soon as possible.

Thanks, Leslie McCollom

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AGENDA ITEM # 36

Hear comments from commissioners.

Commissioner Heiligenstein congratulated Judge Doerfler upon his nomination of Chairman of the CAPCO Executive Committee.

Land Strategies Pix Howell reported the presentation was well received by CAMPO Monday evening, October 8, 1999. Mike Aulich was very complimentary of Land Strategies interaction with his staff.

COMMISSIONERS COURT ADJOURNED AT 12:15 A.M. ON TUESDAY, NOVEMBER 9, 1999