



**City of Conway, Arkansas**  
**Resolution No. R-19-05**

**A RESOLUTION APPROVING SETTLEMENT OF THE CASE OF RAINES V. COUNSELING ASSOCIATES, INC, ET AL. (CASE NO. 4:15-CV-102); AND FOR OTHER PURPOSES**

**Whereas**, litigation was initiated against the City of Conway and three of its police officers by the John Morrison Raines III, as Guardian of the Estate of John Morrison Raines IV, in Federal District Court Case No. 4:15-CV-102, originally alleging Conway Police officers violated the rights of and caused injury to John Morrison Raines IV stemming from an incident in the City of Conway on March 3, 2013; and

**Whereas**, despite the City's good faith belief that the City has no liability and neither the Conway Police Department nor the officers named in the lawsuit have any liability or acted beyond the scope of their training, due to the risks of trial, the City believes it to be in the best interest to settle.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:**

**Section 1:** That the negotiated settlement of *John Morrison Raines III, as Guardian of the Estate of John Morrison Raines IV vs. Counseling Associates Inc. et. al.*, in Federal District Court Case No. 4:15-CV-102, in the total amount of Thirty Thousand Dollars (\$30,000) is hereby appropriated from the Conway General Fund annual budget fund.

**Section 2:** That the City Attorney is hereby authorized to execute such documents as are necessary and prudent to effectuate the intent of this Resolution.

**Section 3:** That this Resolution shall be in full force and effect from and after its passage and approval.

Passed: February 20<sup>th</sup>, 2019.

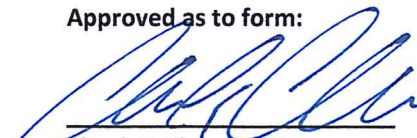
**Approved:**

  
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**Mayor Bart Castleberry**

**Attest:**

  
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**Michael O. Garrett**  
City Clerk/Treasurer

**Approved as to form:**

  
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**Chuck E. Clawson III**  
City Attorney