

IN THE CIRCUIT COURT IN AND FOR
FLAGLER COUNTY, FLORIDA
CASE NO.: 2015 CA 217

DENNIS MCDONALD and JANET
MCDONALD, his wife,

Plaintiff(s)

Vs.

CITY OF PALM COAST,

Defendants(s)

SETTLEMENT AGREEMENT AT MEDIATION

THE PARTIES hereto have reached the following agreements, at Mediation Conference in full and complete resolution of the above-styled litigation:

1. The Defendant (s) City of Palm Coast, agree to pay the total sum of \$ 9,000.00 Dollars (\$ 9,000.00) to the Plaintiff(s) within 1 days. The Plaintiff's attorney's Tax Identification number is 39-2592503. In the event the settlement draft is not honored, after presentment, by the bank for any reason, this Settlement Agreement is voidable at the option of the Plaintiff, and any release or dismissal executed in contemplation of the Agreement shall be treated as nullities.
2. The Plaintiff(s), shall promptly dismiss the lawsuit with prejudice, and shall execute a mutually acceptable Release of the Defendant (s). It is contemplated by the parties that the Release will contain "Dyess" language to prevent unintended forfeiture of group health or other similar insurance.
3. The Plaintiff(s) shall satisfy or resolve all liens and subrogated interests and shall hold the Defendant(s) harmless from same.
4. All parties agree to promptly execute all documents and to perform all acts necessary to complete this Settlement Agreement.
5. All parties agree to bear their own costs and attorneys fees.
6. All parties herein stipulate that the trial court shall retain jurisdiction to enforce all terms of the Settlement Agreement.
7. The mediator's fee shall be paid as follows:
 Each party shall pay its proportionate share.
 The Defendant (s) shall pay the entire fee.
 The Plaintiff (s) shall pay the entire fee.
8. Additional terms of this settlement, if any, are as follows:
Subject to approval by City Council
within 20 DAYS. Payment within 15 DAYS
AFTER APPROVAL.
Settlement to be repaid 45 days from
date of acceptance.

9. All parties acknowledge that all of their agreements are stated in full above.

SIGNED this 11th day of April, 2016 at Florida.

Plaintiff

Defendant

Plaintiff

Attorney for Defendant

Attorney for Plaintiff (s)

Insurance Claim Representative

Mediator

Defendant (s)

Insurance Claim Representative

Donna C. Doyle
Gregory P. Miles
Mark S. Walker
Clement L. Hyland
Douglas B. Beattie
James A. Cabler
William H. Lore
David C. Schwartz
Richard C. Singer
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