

Office of Superintendent of Schools
Board Meeting of January 17, 2001

January 12, 2001

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: AUTHORIZATION TO SETTLE THE CASE OF MARIST BROTHERS OF THE SCHOOLS, INC. V. THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, ET AL., U.S.D.C. CASE NO. 99-3258 CIV GRAHAM

On December 7, 1999, the School Board was sued in the above-referenced case. The federal court trial in this matter was scheduled to commence on January 16, 2001. On January 9, 2001, the School Board participated in a court ordered mandatory settlement. As a result, a tentative settlement has been reached. A back up memorandum will be forwarded to the Board under separate cover explaining the terms of the settlement which will not include a monetary payment by the School Board.

The School Board Attorney recommends that the Board authorize settlement of the case of Marist Brothers of the Schools, Inc. v. The School Board of Miami-Dade County, Florida, et al., U.S.D.C. Case No. 99-3258 CIV GRAHAM, without payment of money by the School Board. Administration concurs with this recommendation.

This item does not appear in the regularly published agenda. There is good cause to vary from the published agenda to ensure that this item is brought to the Board in a timely manner.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Board Attorney to settle the case of Marist Brothers of the Schools, Inc. v. The School Board of Miami-Dade County, Florida, et al., U.S.D.C. Case No. 99-3258 CIV GRAHAM, without payment of money by the School Board. The settlement releases the School Board from all claims made by Plaintiff including damages, attorneys' fees and costs.

PDB/mg

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