

THE LIMBAUGH FIRM
—ATTORNEYS AT LAW—
EST. 1916

Memo

To: Mayor and Board of Aldermen City of Jackson, Missouri
From: Curtis O. Poore
Date: December 11, 2025
Re: Settlement of Litigation Against Wal-Mart, Inc. Regarding Damages Caused by Driver on February 28, 2025

I am writing to advise you of the successful negotiation and proposed settlement of the City's claim against Wal-Mart, Inc., arising from the incident on February 28, 2025, where a Wal-Mart tractor-trailer driver struck and damaged a City-owned power line, pole, and transformer while navigating a lot owned by Kasten. The City sought payment of \$26,696.31 for the repair costs.

Following the issuance of a demand letter, Wal-Mart denied liability, asserting that the driver's actions were directed by instructions from the property owner and thus absolved Wal-Mart of responsibility. In response, the City filed suit to recover the damages. After the filing, Wal-Mart extended an initial settlement offer of \$10,000 but indicated a willingness to increase the amount up to \$20,000 to resolve the matter.

Pursuant to discussions with the Board, I was granted authority to settle the claim for no less than \$20,000, with discretion to negotiate a higher amount if feasible. Through further negotiations, I was able to secure a final settlement agreement from Wal-Mart in the amount of \$23,500.

I recommend that the Board approve the attached Settlement and Release Agreement, which provides for full payment of \$23,500 to the City in exchange for a release of all claims related to this incident.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Curtis O. Poore