

VILLAGE OF ROSCOE

AGENDA ITEM - STAFF REPORT



Agenda Item:	Agreement with Lewis Brisbois Bisgaard & Smith LLP to serve as special counsel for the Village of Roscoe in relation to the Village's involvement in Payton v. A.O. Smith corporation et al.		
Date:	05/03/2024	Meeting:	Village Board – May 07, 2024
Prepared by:	Josef Kurlinkus	Department:	Admin

Overview/Background Information

This item relates to the Village's ancillary involvement in the matter of Payton v. A.O. Smith corporation et al. 2023L13106. The Village is among approximately 100 parties (including 30 municipalities) named in the above captioned personal injury lawsuit between the plaintiff his former employer. It appears that the Village was named because the plaintiff alleged that some time in the past (though when is not specified in the complaint) the Plaintiff's former employer was hired to do work either by the Village or within the Village limits. Several other of the named municipalities have hired the law firm of Lewis Brisbois to jointly defend this matter, and in joining with them, will allow the Village to limit its overall cost for defense in this matter.

Key Issues

- The Village needs to engage defense counsel to represent the Village's interests in this matter.
- Lewis Brisbois Bisgaard & Smith LLP is experienced in defending cases of this nature.
- Pooling the resources of multiple municipalities in defending this matter allows the Village to limit its overall cost of defense.

Fiscal Note/Budget Impact

Engagement Agreement is included in attachment outlining rates and expenses.

Prior Legislative Actions

This is a first read in front of the Village Board

Action Required/Recommendation

I request that the rules be suspended, and that Resolution 2024-R26 be approved at the May 3, 2024 Village Board Meeting.

Attachments

Resolution 2024-R26
Engagement Agreement.