



## Legislation Details (With Text)

**File #:** 19-349      **Version:** 1      **Name:**  
**Type:** Contract      **Status:** Agenda Ready  
**File created:** 9/19/2019      **In control:** Town Council  
**On agenda:** 9/26/2019      **Final action:**  
**Title:** Approval of Conditional Settlement with Tim Riester and Mirja Riester, Case No. CV 2018-004269.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
9/26/2019	1	Town Council	Adopted	Pass

**TO:** Mayor and Town Council

**FROM:** Jill Keimach, Town Manager  
Andrew Miller, Town Attorney

**DATE:** September 26, 2019

**CONTACT:**  
Andrew Miller, 480-348-3691

**AGENDA TITLE:**  
Approval of Conditional Settlement with Tim Riester and Mirja Riester, Case No. CV 2018-004269.

### **RECOMMENDATION**

Authorize the Town Manager and Town's attorneys to execute a settlement agreement with Tim and Mirja Riester, fully settling Case No. CV 2018-004269, and authorize the Town and its insurers to pay the Riesters a settlement payment of \$ .

### **BACKGROUND:**

Tim and Marja Riester filed a suit against the Town on April 2, 2018, alleging that on July 30, 2017 and July 31, 2017, a blockage in the Town's sewer system caused a backup of sewage into their home. The Riesters also alleged that both the Town of Paradise Valley and the City of Scottsdale were negligent for not taking steps to prevent the backup or to find the blockage in sufficient time to reduce the damages to their home due to the sewage backup. Through ongoing settlement discussions, the parties are now ready to settle the suit and have reached a conditional settlement agreement ("conditional" in that the settlement must still be approved by the Council). If approved, the settlement will resolve all claims related to the Riester suit. The amount of the settlement will be discussed in an executive session with the Council earlier in the meeting on September 26, 2019 meeting, thus listing the details of the settlement are premature until the Council first hears of the settlement terms.

**ATTACHMENTS:**

None (Final Settlement Agreement to be provided at the Council Meeting)