

LEGISTAR NO.

120537

AYMAN ABDELLATIEF,

Plaintiff,

vs.

CITY OF GAINESVILLE,

Defendant.

PRE-SUIT SETTLEMENT AGREEMENT

The parties hereto have reached the following pre-suit settlement agreement in full and complete resolution of the above-styled personal injury claim of Ayman Abdellatief, which arises from a bicycle versus RTS bus collision that occurred on November 7, 2011, in Gainesville, Florida, in which Plaintiff was injured:

1. Defendant City of Gainesville agrees to pay Plaintiff the lump sum payment of Two Hundred Thousand Dollars (\$200,000.00) within seven (7) days of the date that the Gainesville City Commission approves this settlement agreement.
2. Plaintiff agrees to:
 - a) Execute a full and complete release, indemnification and hold harmless agreement in favor of Defendant and all other persons, firms, corporations or other entities that are in privity with the Defendant. No one else will be released, including any other tortfeasor, known or unknown;
 - b) Pay, satisfy and extinguish any and all valid claims or liens that may attach to the settlement proceeds; and
 - c) Plaintiff agrees that he will not pursue a claims bill relating to this collision and his injury in this accident.
3. All parties agree to bear their own attorneys fees and costs.


4. This settlement agreement is contingent upon the following additional conditions, which are essential to the settlement agreement:

a) The settlement agreement must be approved by the Gainesville City Commission within sixty (60) days of the date of the execution of this settlement agreement by Plaintiff; and


b) This settlement is conditional upon the parties reaching mutual agreement on the specific language of the release, indemnification and hold harmless agreement that is referenced in paragraph (2)(a) above. The release must include language protecting and preserving Plaintiff's rights to pursue any and all first party insurance benefits and public benefits, past and future, that Plaintiff may have.




Ayman Abdellatif, Plaintiff
Dated: 11-5-2012



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Gainesville, FL 32606
Attorneys for Plaintiff
Dated: 11/5/12



City of Gainesville, Defendant
By: Steve Varvel (print name)
Capacity: Rec Mgt Director
Dated: 11/6/2012



Daniel M. Nee, Esq.
PO Box 490
Gainesville, FL 32627
Attorney for Defendant
Dated: 11/5/2012