



Legislation Text

File #: 071150., **Version:** 0

Eugene Gamble, Jr. vs. City of Gainesville, a Florida municipality and Christopher L. Perry; Alachua County Circuit Court; Case No.: 01-08-CA-1200 (B)

In the case styled Eugene Gamble, Jr. vs. City of Gainesville, a Florida municipality and Christopher L. Perry; Alachua County Circuit Court Case No.: 01-08-CA-1200, the City Commission 1) authorize the City Attorney to represent the City of Gainesville and City employee(s) acting in the course and scope of their employment, with the consent and waiver of potential conflict by the City Commission and by said City employee(s), and; 2) the City Commission authorize the City Manager to execute a consent and waiver of potential conflict on behalf of the City.

On April 3, 2008 a summons and complaint was served on the City of Gainesville. Mr. Gamble alleges that he was a driver of a vehicle involved in an automobile accident with a City of Gainesville Regional Transit vehicle. He claims to have sustained bodily injury, loss of capacity for the enjoyment of life, expenses for medical care and treatment in the past and in the future, loss of earnings and ability to earn money. Mr. Gamble seeks money damages and attorney's fees in excess of \$15,000.00. In the same Complaint, Mr. Gamble also filed suit individually against the former City employee that allegedly drove the City of Gainesville Regional Transit vehicle.

In this lawsuit, the interests of the former City employee and the City appear, at this time, to not be in conflict. However, the possibility does theoretically exist for a conflict of interest to develop at some time in the future between the City's interests and those of the former City employee. Therefore, informed consent confirmed in writing by both the City and the former City employee is appropriate.