

July 23, 2008

**APPROVE SETTLEMENT OF LAWSUIT BY WAIVER OF WORKER'S COMPENSATION LIEN
GERALD ARENA V. DOUGLAS FRITZ AND CUSHING TRANSPORT, CASE NO. 04 L 10343**

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING:

Authorized settlement of personal injury lawsuit brought against a driver's education student in the case of Arena v. Douglas Fritz and Cushing Transport, Case No. 04 L 10343 by waiver of the Board's worker's compensation lien, presently valued at \$133, 632.46.

DESCRIPTION: The General Counsel has determined that this settlement is in the Board's best interests because it avoids an adverse judgment against a student driver which the Board would be obligated to pay.

LSC REVIEW: Local school council approval is not applicable to this report.

AFFIRMATIVE ACTION STATUS: Not applicable.

FINANCIAL: No additional funds are required to be paid by the Board in connection with this settlement.

PERSONNEL IMPLICATIONS: None

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

APPROVED,


PATRICK J. ROCKS
General Counsel *WRM*

Within Appropriation:


PEDRO MARTINEZ
Chief Financial Officer