

MEMORANDUM

TO: Governing Board Members
FROM: Sheryl Wood, General Counsel
DATE: January 17, 2007
SUBJECT: Settlement of an Alleged Discrimination Action - Pietrucha

Background:

- Case Name: Pietrucha v. SFWMD, Case No.: 50-2005-CA-006879-XXXX-MB-AA
- Type of Case: Alleged Discrimination
- District Project Name: n/a

How this helps meet the District's Ten Year Strategic Plan:

n/a

Funding Source:

This settlement is funded using District funds (101000).

This Board item impacts what areas of the District, both resource areas and geography:

The proposed settlement provides for payment of \$25,000.00 to Marie Pietrucha to settle all claims against the District. Under the settlement, each party will bear their own attorneys' fees and costs. The Plaintiff's (Pietrucha) claims/lawsuit will be dismissed and mutual releases will be exchanged.

What concerns could this Board item raise?

The terms of the settlement constitute a prudent business decision. The District does not admit liability and the settlement should not cause concern.

Why should the Governing Board approve this item?

This settlement resolves all alleged claims of age and sex discrimination against the District by Marie Pietrucha, and a jury trial will no longer be needed. The District avoids the expenditure of additional taxpayer dollars for attorney's fees and costs to defend the case through trial and possibly appeals which would far exceed the nominal settlement. Also, any potential for an adverse jury award to the Plaintiff is eliminated.