


COMMISSION AGENDA

2.10.15 #14

TO: The Honorable Chairman and Members of the
Board of County Commissioners

FROM: James L. Bennett, County Attorney 

SUBJECT: Notice of New Lawsuit and Defense of the Same by the County Attorney
in the Case of David Ballard Geddis, Jr. v. County Attorney Cromwell
Small Claims Civil Case No. 14-010189-SC-North

DATE: February 10, 2015

NOTICE: THIS IS TO ADVISE THE BOARD OF COUNTY COMMISSIONERS THAT THE ABOVE-REFERENCED LAWSUIT WAS FILED AGAINST THE COUNTY AND THE COUNTY ATTORNEY'S OFFICE WILL DEFEND THE SAME.

DISCUSSION: Plaintiff has instituted a small claims action against "County Attorney Donald Cromwell" challenging the reclaimed water availability charge. This suit challenges the legality of the County's fee for which no employee of the County can be held individually liable by operation of law.

This is the third such suit instituted by the Plaintiff. The prior suits were dismissed by the Court.

The County Attorney's Office will bring all counterclaims, cross-claims, or third party claims as necessary or appropriate in the judgment of the County Attorney.

JLB:CDP

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