

Resolution

Version 2.7 released on 7/1/25
Use for all types of Resolutions



CITY COUNCIL USE ONLY Date Received: _____ Committee Date: _____ 1 st Agenda Date: _____	Tracking #: _____ Committee: _____ Hearing Date: _____ 2 nd Agenda Date: _____	CITY CLERK USE ONLY <input type="checkbox"/> Scanned Date: <u>02.11.2026</u> <input type="checkbox"/> Posted Item #: <u>2602.00343</u>
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All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Board Approval		Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Legal	Contact Name T. Michelle McGrew (tmb)	Email mmcgreg@cityoftulsa.org	Phone 9185967717
Resolution Type Authorizing Sinking Fund Credit or Payment		Owner-Grantor Leslie Hannan	
Amount \$800,000.00	Case Number 25-CV-00298	TMAPC Number	Council District
Description (Subject) Payment of Lawsuit		Bid/Project Number	
Section	Township	Range	Addition
Lot	Block	Address	

Budget

Funding Source(s)

TOTAL:

Approvals

Department:		Date:	<u>2-5-26</u>
Legal:	<u>T. Michelle McGrew</u>	Date:	<u>2-5-2026</u>
Board:		Date:	
Mayor:		Date:	<u>FEB 11 2026</u>
Other:		Date:	

Policy Statement

Background Information
On January 28, 2026 the Mayor approved settlement of this matter in the amount of \$800,000.00. The Journal Entry of Agreed Judgment was signed by the Judge and filed with the Court on February 5, 2026 (see attached Judgment)

Summation of the Requested Action
Request the Council execute the attached Resolution. Request the Mayor approve payment of this lawsuit and direct Finance to issue a check in the amount of \$800,000.00 made payable to Leslie Hannan, Plaintiff and Smolen Law, PLLC, attorneys at law and return to City Legal for further processing.

Emergency Clause?	Reason for Emergency Clause
<input type="radio"/> Yes	_____
<input type="radio"/> No	_____

Processing Information for City Clerk's Office

Post Execution Processing

- Mail vendor copy (add'l signature copies attached)
- Must be filed with other governmental entity
- Add'l governmental entity approval(s) required

Additional Routing and Processing Details

Please return executed RFA and Resolution to City Legal for further processing.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

LESLIE HANNAN, an Individual

Plaintiff,

v.

**CITY OF TULSA, a Municipal
Corporation,
WENDELL FRANKLIN, in his
Individual Capacity as former
Chief of the Tulsa Police
Department,
JAKE HUFF,
MADELYN SWEGER, and
DENZIL AUSTIN BERRYMAN,**

Defendants.

Case No. 25-CV-00298-SEH-MTS

AGREED JUDGMENT

NOW ON this 5th day of February 2026, this matter comes before the undersigned Judge on the parties' joint motion to enter agreed judgment [ECF No. 29]. Plaintiff Leslie Hannan appears by and through her attorney of record, Donald E. Smolen, II and Defendant City of Tulsa, appears by and through its attorney of record, T. Michelle McGrew, Senior Assistant City Attorney. The parties state they have reached a settlement of Plaintiff's claims and ask the Court to enter an agreed judgment submitted by the parties, pursuant to Fed. R. Civ. P. 58. The Court has reviewed the motion

and finds it should be granted.

The Court, having reviewed the allegations set forth in Plaintiff's Complaint, has been advised the judgment proceeds being paid by Defendant City of Tulsa to the Plaintiff herein shall be paid from the City of Tulsa's Sinking Fund which has sufficient funds available to pay said judgment. The Court has further been advised that the City's Mayor has authorized a compromised settlement in the sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00) and the Court being satisfied that Plaintiff fully understands the nature of this action with regard to its finality which precludes additional or further compensation for damages arising from the occurrence of the event identified in Plaintiff's Complaint and, upon being further advised by Plaintiff that it is her desire to settle the entirety of all claims and causes of action relating to the events identified in her Complaint, including costs and fees, upon payment in the sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00), the Court finds:

1. That the Court has jurisdiction over the subject matter of this lawsuit and the parties hereto;
2. That Plaintiff is fully aware of her rights in this matter and it is Plaintiff's desire to compromise her right to trial by jury;
3. That Plaintiff desires to accept as full, final and complete settlement

from the City of Tulsa the sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00), for any and all damages, losses, fees, attorney fees, interest, and expenses sustained as a result of the events identified in Plaintiff's Complaint;

4. That this settlement is not an admission that the City of Tulsa or its employees violated any of Plaintiff's constitutional rights or were grossly negligent but is only a recognition of the uncertainty of trial;

5. That Plaintiff has agreed to dismiss with prejudice or forgo any and all claims against the City of Tulsa and its employees individually;

6. That by agreement of the parties, Defendant's payment to Plaintiff will stand as full compensation from the City to Plaintiff and precludes any further or separate action by Plaintiff or those she represents against City of Tulsa, a municipal corporation, or any of its employees, arising from or relating to the events described in Plaintiff's Complaint;

7. That the City has agreed to settle Plaintiff's lawsuit in the sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00);

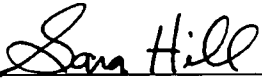
8. That the City shall pay Plaintiff from the City of Tulsa's Sinking Fund which has sufficient funds available to pay said judgment; and

9. That all parties request this court to approve and finalize their mutual settlement;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that Plaintiff has and will recover from Defendant City of Tulsa, Oklahoma, damages in the total sum of Eight Hundred Thousand Dollars and 00/100 (\$800,000.00), as full, final and complete compensation for any and all damages, losses, fees, attorney fees, interest, and expenses incurred or sustained incident to the events described in Plaintiff's Complaint and that said damages shall be paid from the City of Tulsa's Sinking Fund which has sufficient funds available to pay said judgment; and

IT IS FURTHER ORDERED BY THE COURT that Plaintiff's claims against Defendant City of Tulsa are dismissed with prejudice and that payment to Plaintiff by Defendant City of Tulsa will preclude any further or separate action by Plaintiff against Defendant City of Tulsa or any employee of Defendant City of Tulsa arising from or pertaining to the events described in Plaintiff's Complaint.

DATED this 5th day of February, 2026.



Sara E. Hill
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

/s/Donald E. Smolen

Donald E. Smolen, II OBA # 19944
Christopher U. Brecht, OBA # 22500
SMOLEN LAW, PLLC
611 S. Detroit Avenue
Tulsa, OK 74120
don@smolen.law
chrisbrecht@smolen.law
Attorneys for Plaintiff

/s/ T. Michelle McGrew

T. Michelle McGrew, OBA #20279
Senior Assistant City Attorney
City of Tulsa
175 East Second Street, Suite 685
Tulsa, OK 74103
(918) 596-7717
Attorneys for Defendant

(Published in the Tulsa Daily Commerce
& Legal News,
_____, 2026.)

RESOLUTION

A RESOLUTION AUTHORIZING PAYMENT IN FULL OF A JUDGMENT SETTLEMENT, FROM SURPLUS MONIES IN THE SINKING FUND; AND DECLARING AN EMERGENCY.

WHEREAS, on the 5th day of February, 2026, in Case No. 25-CV-298, filed in the United States District Court for the Northern District of Oklahoma, judgment was entered based on a settlement agreed to by and between Leslie Hannan, Plaintiff, and the City of Tulsa, Defendant, in the sum of Eight Hundred Thousand Dollars (\$800,000.00), representing principal judgment, interest, costs and attorney fees, was entered against the City of Tulsa, which settlement has been approved by the Court; and

WHEREAS, it appears from a survey of the Sinking Fund that there is a surplus of cash and investments in said fund, over and above accrued liabilities and statutory obligations, which would allow the City of Tulsa to pay said judgment in full, including court costs and interest thereon; and

WHEREAS, it is desirable and in the best interest of the City of Tulsa to make such present payment out of the City's Sinking Fund, and thereafter reimburse the Sinking Fund from subsequent tax levies, as provided by 62 O.S. '435.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TULSA, OKLAHOMA:

Section 1. That the City Clerk and the City Treasurer of the City of Tulsa be, and the same hereby are, authorized to consummate and complete the payment of said judgment by drawing the following warrant on the City of Tulsa's Sinking Fund:

To the order of LESLIE HANNAN, Plaintiff, and SMOLEN LAW, PLLC, Attorneys at Law, the sum of Eight Hundred Thousand Dollars (\$800,000.00); the same representing the full amount of the judgment, interest, costs and attorney fees, now due and owing to the Plaintiff in the lawsuit identified above.

Section 2. That the City Clerk and the City Treasurer of the City of Tulsa be, and the same hereby are, authorized and directed to properly advise the Tulsa County Excise Board by appropriate reports, of the prepayment of said judgment in order that said Board may include said prepaid judgment as a necessary and lawful expense of the Sinking Fund of the City of Tulsa, Oklahoma, for which appropriate tax levies may be made to replenish said Sinking Fund,

as provided by the provisions of Title 62 of the Statutes of the State of Oklahoma.

Section 3. That an emergency exists for the preservation of the public peace, health and safety, by reason whereof this Resolution shall take effect immediately from and after its passage, approval, and publication.

ADOPTED by the Council: _____ (Date)

ADOPTED as an emergency measure: _____ (Date)

Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Monroe Nichols, IV, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____,
Date

Time

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney

Legal Records

Version 3.1 released on 7/1/25
 For torts, lawsuits, settlements, and other legal actions. Use other more specified RFAs for other record types including Contracts, MOUs, Election Actions, Worker's Compensation Orders and Miscellaneous

Legal



CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned	Date: _____
Committee Date: _____	Committee: _____	<input type="checkbox"/> Posted	Item #: _____
1 st Agenda Date: _____	Hearing Date: _____		
	2 nd Agenda Date: _____		

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Legal Action Type Lawsuit - Settlement	Court Order Date _____	Council Approval <input type="radio"/> Yes <input checked="" type="radio"/> No
Department Legal	Contact Name Michelle McGrew (tmd)	Email mmcgreg@cityoftulsa.org
Incident Date 6/19/23	Legal Case No. 25-CV-298	Amount \$800,000.00
Name Leslie Hannan	Originating Department Police	Phone 9185967717
		Date Filed City Clerk _____

Budget/Payments

Funding Source(s) / Checks to be Issued

TOTAL:

Approvals

Department: _____	APPROVED BY MAYOR CITY OF TULSA	Date: <u>1-22-26</u>
Legal: <u>[Signature]</u>	JAN 28 2026	Date: <u>1-22-2026</u>
Board: _____		Date: _____
Mayor: _____		Date: _____
Other: _____		Date: _____

Summary

Background Information

Plaintiff Leslie Hannan brought suit against the City for a civil rights violation stemming from a domestic violence incident that resulted in her rape and strangulation by her boyfriend. She alleged that her fourteenth amendment right to due process and equal protection was violated when the Tulsa police officers that responded to her domestic violence in progress call left the scene. She alleges the City failed to train and supervise its officers regarding domestic violence practices. After settlement negotiations the parties agreed to settle this matter, inclusive of all costs and attorney fees, for \$800,000.00. (see attached memo)

Summation of the Requested Action

Request Mayor approve settlement of this lawsuit in the amount of \$800,000.00 and return to City Legal for further processing.

Other Pertinent Information

Processing Information for City Clerk's Office

Post Execution Processing

- Mail vendor copy (add'l signature copies attached)
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LEGAL

Date: January 22, 2026
To: Mayor Nichols
From: T. Michelle McGrew, Sr. Assistant City Attorney
Subject: Leslie Hannan v. City et al - Settlement

Mayor Nichols:

As you may recall, this civil rights case arises from Tulsa Police Department's response to a domestic violence in progress call on June 19, 2023, involving Plaintiff Leslie Hannan and her then boyfriend, defendant Denzil Berryman. Leslie Hannan wanted Berryman to leave her apartment. After speaking with the parties, the responding officers left the scene, as did Denzil Berryman. Berryman later returned to scene where he raped and strangled Leslie Hannan. Denzil Berryman is now serving twenty years in federal prison for rape.

Hannan, through her attorney Donald E. Smolen, II, claims the officers violated her fourteenth amendment right to due process and equal protection. She also claims her rights were violated as a result of a City policy, custom, or practice. She alleges the City failed to train and supervise its officers.

After settlement negotiations, with your authority and prior approval, the parties, on January 16, 2026, agreed to resolve this matter for \$800,000.00, inclusive of all costs and attorney fees. If you have any questions or would like to discuss this matter in greater detail, please do not hesitate to contact me.

Thank you.

T. Michelle McGrew
Senior Assistant City Attorney