

City Attorney Report for 2022

My yearly Report to Council is as follows:

Along with the normal aspects of advising Council, the Mayor, the Police Department, City staff and the Boards, I have also prepared and amended multiple ordinances, which have been approved by Council. I have registered the City to be a party to the Big Three and Johnson and Johnson Opioid Settlement lawsuits and the first payment was received for the Big Three. The following are the lawsuits for which the City was involved during 2022.

Speedway Transportation – State Court: Speedway Transportation claims that in 2016 and 2017, they relied to their detriment, upon oral representations made by employees of the City of Gahanna when they were trying to obtain the contract with the Police department, for towing vehicles. A Motion on the Pleadings was granted to the City of Gahanna, and Speedway Transportation appealed. The Court of Appeals granted their Appeal in part and denied it in part. Two of their issues were remanded to the trial Court in order for them to allow the plaintiff an opportunity to conduct discovery which has been completed and we have filed a Motion for Summary Judgment on those issues.

Speedway Transportation – Federal Court: Speedway Transportation has filed a case in Federal Court alleging that they were discriminated against based upon the owners Ethnicity and Religion. The City was granted a Judgment on the Pleadings, stating that the Complaint did not state sufficient facts to set forth a claim against the City. Speedway Transportation has filed an Appeal. Briefs have been filed, the Court upon their own motion waived the oral arguments, and we are still awaiting a decision.

Brian Weaver: Mr. Weaver has lost several appeals with the Ohio Civil Rights Commission, wherein he contested his firing and that the City failed to provide reasonable accommodations for his disability. He has filed a Complaint on the same issues. The City of Gahanna has filed their answer and a Motion for Summary Judgment. We recently had a 5-hour Mediation, and a settlement has been reached, pending final approval.

Lacey v Gahanna: Carmen Lacey, a minor child, stepped on a drainpipe at the Hunter's Ridge Pool. The pipe broke and she cut her leg. A lawsuit was filed for her injuries and settled quite expeditiously.

James Anderson: Mr. Anderson was arrested by the Police Department and charged with having weapons under disability, being a felon in possession of firearms. After he was indicted, he filed a Civil suit to have his firearms returned. Our Answer is due at the beginning of January.

Other than the Lacey and Anderson complaints, no other actions were filed on behalf of, or against the City this year.