

RESOLUTION NO. 2013-19

**A RESOLUTION TO HOLD HARMLESS AND INDEMNIFY ALL TOWN
EMPLOYEES FROM ANY ADVERSE JUDGMENT ENTERED AGAINST THEM
INDIVIDUALLY IN LITIGATION INITIATED BY RONALD KOTTKA AND WHICH
PERTAINS TO HIS REMOVAL AS CHIEF OF POLICE**

WHEREAS, several Town of Griffith employees have been named individually as defendants in a lawsuit initiated by Ronald Kottka, the former Chief of Police for the Town of Griffith; and

WHEREAS, the claims asserted by Ronald Kottka pertain to actions and conduct allegedly attributable to the individually named defendants; and

WHEREAS, it is the opinion of the Town Council for the Town of Griffith that each of the individually named defendants was acting in their official capacity and within the scope of their employment with the Town of Griffith at all times relevant to the lawsuit initiated by Ronald Kottka; and

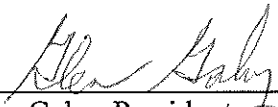
WHEREAS, upon careful reflection, the Town Council for the Town of Griffith has determined that it would be in the best interest of the Town to hold harmless and indemnify each of the individually named defendants and other Town employees with respect to any adverse judgment entered against them individually and that is not covered by the Town's insurance policies in any present or future lawsuit brought by or on behalf of Ronald Kottka and which pertains to the circumstances surrounding Ronald Kottka's removal as the Chief of Police for the Town of Griffith; and

WHEREAS, the Town Council for the Town of Griffith interprets the term "adverse judgment" liberally and intends for the term to include all damages of any kind or nature that any one or more of the individually named defendants or other Town of Griffith employees may be required to pay as a result of a settlement agreement or a judgment on the merits that is not covered by the Town's insurance policies; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council for the Town of Griffith that the Town of Griffith will hold harmless and indemnify each individually named defendant and other Town employee for any adverse judgment entered against them individually and not covered by the Town's insurance policies and which stems from litigation initiated by or on behalf of Ronald Kottka relating to the circumstances surrounding his removal as Chief of Police for the Town of Griffith; however indemnification shall extend only to the amount of an adverse judgment that is not first satisfied by any applicable insurance.

PASSED AND ADOPTED, by the Town Council for the Town of Griffith, Lake County, Indiana this 20th day of August, 2013.

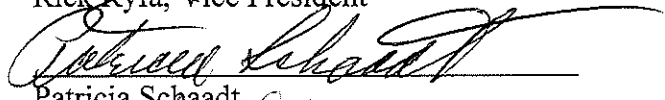
COUNCIL MEMBERS OF THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA




Glen Gaby, President

ABSTAIN

Rick Ryfa, Vice President



Patricia Schaad



Lawrence Ballah

ABSENT

Stan Dobosz

Attest:



George Jerome, Clerk-Treasurer