

FLOYD COUNTY RESOLUTION NUMBER 1981-3

WHEREAS, on the 9th day of December, 1980, Emmett Douglas Catlett commenced litigation in the United States District Court for the Southern District of Indiana, New Albany Division, against Jerome Schindler, Sheriff of Floyd County, individually and in his official capacity, and against the members of the Board of Commissioners of the County of Floyd, individually and in their capacity as County Commissioners; and

WHEREAS, by and pursuant to the provisions of I.C. 1971, 34-4-16.7-1, Floyd County, Indiana, and the Board of Commissioners of the County of Floyd, Indiana, are obligated to pay all costs associated with the defense of an action commenced pursuant to the Civil Rights Laws of the United States in naming a present or former employee, as the same is defined in I.C. 34-4-16.5-2, when and in those instances where the Board of Commissioners of the County of Floyd shall deem it in the best interest of the County to so defend; and

WHEREAS, the Board of Commissioners of the County of Floyd, for and on behalf of itself, and Floyd County, Indiana, is presently desirous of retaining the services of Max C. Mason, Jr., as County Attorney, and C. William Lohmeyer, Attorney at Law, for the purpose of defending, respectively, this Board and the Sheriff of Floyd County, in the action presently pending in the United States District Court.

NOW THEREFORE:

BE IT RESOLVED, that Max C. Mason, Jr., as County Attorney, and C. William Lohmeyer, Attorney at Law, be and they hereby are retained as attorneys for the Members of the Board of Commissioners of the County of Floyd, individually and in their capacity as elected officials and Jerome Schindler, individually and in his capacity as Sheriff of Floyd County, respectively, to defend said named individuals in this action presently pending in the United States District Court for the Southern District of Indiana, New Albany Division, under Civil Action No. NA 80-159-C.

BE IT FURTHER RESOLVED, that Floyd County, Indiana, acting by and through the Board of Commissioners of the County of Floyd, hereby consents to pay all costs, fees, judgments and expenses, to include reasonable attorney's fees for the above named attorneys, which may be expended or incurred in the defense of this litigation, the settlement thereof, or in the payment of any judgment rendered by said Court.

DATED this 2nd day of February, 1981.

BOARD OF COMMISSIONERS OF THE  
COUNTY OF FLOYD

Gary Loftus  
Gary Loftus, President

Vincent Freiberger  
Vincent Freiberger, Member

Douglas A. Bierman  
Douglas Bierman, Member

ATTEST:

Betty J. Hammond  
AUDITOR OF FLOYD COUNTY, INDIANA