

**CASE CLOSEOUTS FROM
JULY 1, 1998, TO NOVEMBER 30, 2011**

The Litigation Division defends the County and other Self-Insurance Fund members in legal actions alleging constitutional and common law torts, employment discrimination, medical malpractice, ADA and IDEA violations, workers' compensation claims and challenges to County laws.

The following summarizes the disposition of 1,651 liability cases that were closed by the Litigation Division from July 1, 1998, through November 30, 2011.

Disposition	Number of Cases (FY 2012)	Number of Cases (Cumulative)	% of Cases (FY 2012)	% of Total Cases (Cumulative)
Voluntary Dismissal	6	196	11%	13%
Resolution by Motion	12	569	21%	34%
(Motion to Dismiss)	5	385	9%	23%
(Motion for Summary Judgment)	7	184	12%	11%
Defense Verdict/Judgment	4	221	7%	13%
Plaintiff Verdict/Judgment	9	97	16%	6%
Settled	25	568	45%	34%
Total	56	1651	100%	100%

Explanation of Categories

Voluntary Dismissal. Plaintiffs sometimes voluntarily dismiss their cases. They do this for a variety of reasons: we file a dispositive motion against which they decide they will be unsuccessful, new facts come to light that make their success appear unlikely, or other unknown reasons.

Resolution by Motion. A motion is a request (generally in writing) to the court seeking to have the court dismiss a case or render judgment for the moving party. Motions generally contain legal argument in support of the resolution being sought. The two most common motions are motions to dismiss and motions for summary judgment.

Defense Verdict/Judgment. Judgment at trial before a judge or jury that finds in favor of the defense.

Plaintiff Verdict/Judgment. Judgment at trial before a judge or jury that finds in favor of the plaintiff.

Settlement. The parties agree that payment of some funds should be made to the plaintiff to resolve the case and conclude it.

Favorable Outcome. Any case that results in a judgment or verdict in favor of Montgomery County or another Self-Insurance defendant is considered to have a favorable outcome. We also consider any case to have a favorable outcome where we attempted to settle, the plaintiff rejected our offer of settlement, the judge/jury finds in favor of the plaintiff, but awards a figure lower than our last offer.

SELECTED LITIGATION ACTIVITIES

Month	New Lawsuits	Closed Cases
January 2010	8	11
February 2010	5	3
March 2010	11	6
April 2010	11	6
May 2010	19	3
June 2010	8	4
July 2010	2	9
August 2010	7	22
September 2010	7	39
October 2010	5	18
November 2010	11	8
December 2010	6	10
January 2011	4	11
February 2011	5	3
March 2011	16	3
April 2011	16	10
May 2011	13	3
June 2011	10	8
July 2011	13	12
August 2011	12	8
September 2011	8	4
October 2011	6	17
November 2011	8	15