

## CASE CLOSEOUTS FROM JULY 1, 2023 TO DECEMBER 31, 2023

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 liability cases that were closed by the Litigation Division from July 1, 2023 through December 31, 2023.

Disposition	Number of Cases (FY 2024)	Number of Cases (FY 2023)	Number of Cases (FY 2022)
Voluntary Dismissal	2	1	6
<b>Resolution by Motion:</b>	<b>3</b>	<b>18</b>	<b>19</b>
(Motion to Dismiss)	1	12	17
(Motion for Summary Judgment)	2	6	2
Defense Verdict/Judgment	3	5	1
Plaintiff Verdict/Judgment	4 <sup>1</sup>	7 <sup>1</sup>	4 <sup>1</sup>
Settled	6	24 <sup>2</sup>	22 <sup>2</sup>
Other	2	1	0
<b>Total</b>	<b>20</b>	<b>56</b>	<b>52</b>

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<sup>1</sup> Plaintiff judgment below last demand (FY22 = 4, FY23=7, FY24=4)

<sup>2</sup> Settlement below authority (FY22 = 11; FY23 = 9; FY24=2)

## 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.

**SIF LITIGATION BY AGENCY/DEPARTMENT**

<b>AGENCY/DEPARTMENTS</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
Alcohol Beverage Services	3	1	1	1
Board of Education	25	26	32	18
Board of Investment Trustees	0	1	1	0
Chief Administrative Officer	0	0	0	0
City of Gaithersburg	0	1	0	0
City of Takoma Park	0	1	0	0
Community Engagement Cluster	0	0	0	0
Community Use of Public Facilities	0	0	0	0
Consumer Protection	0	0	0	0
Correction and Rehabilitation	9	17	11	6
County Attorney's Office	0	1	0	0
County Council	3	1	2	2
County Executive's Office	4	1	1	0
Emergency Mgt & Homeland Sec.	0	0	0	0
Environmental Protection	0	1	1	0
Finance	1	2	3	1
Fire & Rescue Service	9	0	1	1
General Services	3	0	3	0
Health & Human Services	11	10	6	6
Housing & Community Affairs	1	0	2	3
Housing Opportunities Commission	5	4	6	1
Human Resources	5	7	4	0
M-NCPPC	1	0	0	0
Montgomery College	2	0	4	1
Montgomery County Government	4	1	1	1
Montgomery County Public Schools	2	0	0	0
Office of Legislative Oversight	0	0	0	1
Permitting Services	0	0	0	0
Police Department	30	25	39	9
Public Information office	0	1	1	0
Public Libraries	0	0	0	0
Recreation	0	0	0	1
Revenue Authority	2	3	1	1
Sheriff's Office	0	1	2	0
Supervisor of Elections	0	0	2	1
Technology Services	1	0	0	0
Town of Somerset	0	0	0	0
Transportation - Ride-On	16	17	20	18
Transportation - Other	15	15	18	1
<b>TOTAL</b>	<b>152</b>	<b>137</b>	<b>162</b>	<b>73</b>

**NON-SIF LITIGATION BY AGENCY/DEPARTMENT**

<b>AGENCY/DEPARTMENTS</b>	<b>FY21</b>	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
Animal Services	0	0	1	1
Board of Appeals	0	2	1	5
Board of Education	1	0	1	0
Board of Investment Trustees	1	0	1	0
Board of License Commissioners	0	1	2	2
Chief Administrative Officer	0	0	0	0
City of Gaithersburg	0	0	1	0
City of Rockville	0	0	1	0
Comm.on Common Ownership Comm.	1	0	1	0
Comm on Landlord Tenant Affairs.	0	1	0	1
Consumer Protection	2	0	1	0
Correction and Rehabilitation	3	3	1	0
County Attorney	1	0	3	0
County Council	1	2	1	0
County Executive	7	1	3	0
Economic Development	1	0	0	0
Environmental Protection	3	3	3	2
Ethics Commision	1	0	0	0
Finance	8	17	7	3
Fire & Rescue Service	3	0	0	0
General Services	1	1	0	0
Health & Human Services	3	2	2	0
Historic Preservation Commission	0	0	0	0
Housing & Community Affairs	0	0	0	0
Human Resources	3	3	1	0
Human Rights Commission	1	3	0	0
Merit System Protection Board	0	0	0	0
Montgomery County Govt.	2	1	4	0
MNCPPC	1	1	0	0
Office of Human Rights	1	0	0	0
Office of Labor Relations	1	3	0	0
Office of Procurement	0	1	1	0
Permitting Services	2	12	11	5
Police Department	139	115	108	47
Public Information Office	2	2	1	0
Recreation Department	0	1	0	0
Technologies and Services	0	2	0	0
Department of Transportation	3	7	6	2
<b>TOTAL</b>	<b>192</b>	<b>184</b>	<b>162</b>	<b>68</b>