



KENAI PENINSULA BOROUGH

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**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Assembly President
President, Board of Education
Members, Kenai Peninsula Borough Assembly
Members, Kenai Peninsula Borough School District Board of Education

THRU: Mike Navarre, Borough Mayor *MN*

FROM: Colette Thompson, Borough Attorney *CT*

COPY: Risk Management Committee

DATE: January 5, 2015

SUBJECT: Litigation Status Report

Following is a summary of the major lawsuits in which the borough and school district are involved. This list does not include the real property tax foreclosures and numerous standard tax collection cases pursued by the borough.

1. **Anderson v. Kenai Peninsula Borough School District and Todd Syverson.** Case No. 3KN-14-857 CI. Robert and Yvonne Anderson filed suit against the school district on October 2, 2014, claiming damages for the district's alleged failure to prevent purported harassment and bullying of their daughter by other students. The district and Mr. Syverson filed an answer denying their claims. Discovery will begin shortly.
2. **King v. Kenai Peninsula Borough.** Case No. 3KN-14-310 CI. Latasha King filed suit against the borough on April 7, 2014, for damages allegedly sustained in a motor vehicle accident on a borough maintained road. The borough filed an answer and a crossclaim against the driver of the vehicle. Investigation and discovery are in process. As plaintiff settled with the driver the parties have agreed to dismiss the driver from the lawsuit.

3. **Reekie v. KPBSD, et al.** Case no. 3HO-13-67 CI. Justin Reekie, Raymond Reekie and Shawn Leigh Reekie filed suit against the school district, the American Legion, Department of Alaska, Inc. and numerous other entities and individuals for damages allegedly sustained by Justin during baseball batting practice held at Homer High School on March 24, 2010. Discovery is in process and trial was rescheduled to February 2015. A mediation was held October 6, 2014, but no settlement was reached. Discovery is continuing and the parties have filed with the court a stipulation to continue the trial to August 2015. The court has not yet acted on the stipulation.