



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: July 13, 2016

SUBJECT: Litigation Status Report

Following is a summary of the non-routine litigation 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. Plaintiffs' attorney's motion to withdraw was granted by the court and trial has been re-scheduled for the week of July 18, 2016. The district and Mr. Syverson filed a motion for summary judgment on March 29, 2016 which the court granted. Final judgment was entered in favor of the school district and Mr. Syverson. Defendants' motions for costs and attorney fees have been filed but no ruling issued as of this date.
2. **First Student, Inc. v. Kenai Peninsula Borough School District.** Case No. 3KN-16-479 CI. First Student, Inc. has appealed the school district's decision to award the school bus transportation contract to Apple Bus Company. First Student filed a motion to stay the award which the district opposed and hearings were held on this motion. No decision has been issued on the motion to stay as of this date.

3. **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 parties have reached a settlement and the associated paperwork is in process.