

1 **JOINT RESOLUTION APPROVING SWALLOW SETTLEMENT**

2 2019 FIRST SPECIAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jefferson Moss**

5 Senate Sponsor: Jerry W. Stevenson

7 **LONG TITLE**

8 **General Description:**

9 This resolution grants the Legislature's approval for the settlement of a lawsuit and
10 other alleged claims against the state.

11 **Highlighted Provisions:**

12 This resolution:

13 ▶ gives the Legislature's approval to the settlement agreement negotiated by the
14 parties and approved by the governor relating to the case of John E. Swallow v.
15 State of Utah, Case No. 180901476 (Third District Court, State of Utah) and other
16 alleged claims.

17 **Special Clauses:**

18 None

20 *Be it resolved by the Legislature of the state of Utah:*

21 WHEREAS, the state of Utah was sued by John E. Swallow ("Swallow"), former
22 attorney general of the state of Utah, in the case of John E. Swallow v. State of Utah, Case No.
23 180901476, in the Third District Court, State of Utah ("Swallow lawsuit");

24 WHEREAS, Swallow has indicated that he believes he has claims that he could assert
25 against the state in addition to the claims he asserted or could have asserted in the Swallow
26 lawsuit;

27 WHEREAS, the parties in the Swallow lawsuit have entered into a final settlement



28 agreement providing for the state to pay Swallow \$1,500,000 and under which Swallow
29 releases all claims against the state, including claims asserted or that could have been asserted
30 in the Swallow lawsuit;

31 WHEREAS, pursuant to Utah Code Section [63G-10-302](#), the governor has approved
32 the settlement agreement;

33 WHEREAS, Utah Code Section [63G-10-303](#) requires the Legislature to approve a
34 settlement agreement that legally binds the state to take action that might cost government
35 entities more than \$1,000,000 to implement; and

36 WHEREAS, the cost of implementing the settlement agreement will exceed
37 \$1,000,000:

38 NOW, THEREFORE, BE IT RESOLVED that the Legislature approves the Settlement
39 Agreement in the case of John E. Swallow v. State of Utah, relating to claims that Swallow
40 asserted or could have asserted in the Swallow lawsuit and all other claims Swallow could
41 assert against the state.