



Board Agenda Item #:	IV A Action Item
Date:	September 12, 2019
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (“MPS Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Esqueda v Magnolia Settlement

I. Proposed Recommendation

MPS Staff recommends that the MPS Board approve and authorize the proposed settlement of the Esqueda v Magnolia matter as being in the best interests of MPS. MPS Board approves and authorizes MPS Staff to negotiate an appropriate settlement agreement and to pay the settlement amount that has been proposed.

II. Background

Plaintiff Esqueda brought suit against Defendant MPS for multiple employment law violations while employed at Magnolia Science Academy 3.

With the concurrence of MPS’s insurer, MPS’s counsel for this matter, Jackson Lewis, recommended that MPS offer a 998 settlement to Plaintiff. Jackson Lewis proceeded to submit a 998 Settlement Offer to Plaintiff’s counsel on MPS’s behalf. Plaintiff accepted such offer.

III. Budget Impacts

The settlement amount not covered by insurance and owed by MSA-3 will be paid from MSA-3’s reserves