

SETTLEMENT AGREEMENT

The parties to the lawsuit styled *Whitney Bryen and Oklahoma Watch, Inc. v. City of Ponca City*, Case No. CV-2024-14, District Court of Kay County Oklahoma (the "lawsuit") have reached an agreement to settle this litigation. The settlement agreement is embodied in this document. In reaching such agreement, both parties have compromised to avoid the expense and uncertainty of litigation.

Prior to this Settlement Agreement, the City of Ponca City ("City") has agreed that the law enforcement documents ("Documents") sought by Whitney Bryen and Oklahoma Watch, Inc. ("Oklahoma Watch"), including the "narrative" portion of the arrest report, are open records under the Oklahoma Open Records Act, Okla. Stat. tit. 51, § 24A.1, et seq. and should have been produced to the Plaintiffs without the need for litigation. The parties agree that no privilege applied to or restricted public access to the any part of the Documents.


Prior to this Settlement Agreement, the City has produced the Documents to counsel for Oklahoma Watch. The City agrees that, if this lawsuit were completed, Oklahoma Watch would prevail in its claims for the Documents and would be entitled to reasonable attorney fees.

Based upon the facts set forth above and the negotiations of the parties, Oklahoma Watch and the City agree as follows:

1. The City agrees to pay Twelve Thousand Two Hundred Fifty and no/100s Dollars (\$12,250.00) collectively to Whitney Bryen and Oklahoma Watch, Inc., in the form of a check made to Doerner, Saunders, Daniel & Anderson, L.L.P as a negotiated and agreed amount of reasonable attorney fees and costs. That payment will constitute full and final satisfaction of any and all of Plaintiffs' claims for attorneys' fees, costs, and litigation expenses in the lawsuit,
2. Oklahoma Watch, Inc. and Whitney Bryen agree, within five (5) business days after receipt of payment from the City of \$12,250.00 for the agreed amount of reasonable attorney fees and costs, to dismiss the lawsuit with prejudice to refileing.
3. Further, because the lawsuit involves the City, a public body, and this Agreement will be approved by that public body, the parties agree that this Settlement Agreement and the actions to be taken by Oklahoma Watch and the City are not confidential and may be made public by any party or citizen.
4. This Settlement Agreement may be executed in counterparts on the parties' behalf by their attorneys of record and is effective on the date by which both parties have executed this Agreement. Facsimiles and .pdf versions of signatures will constitute acceptable, binding signatures for purposes of this Agreement.

Settlement Agreement in CV-2024-14 (Kay)

Whitney Bryen, Oklahoma Watch, Inc. and the City of Ponca City, a municipal corporation, evidence their agreement to the terms and statements set forth above.
Agreed and approved:



Whitney Bryen

2/12/2025


Date

Oklahoma Watch, Inc
By: 

Ted Streuli, Executive Director

2/11/2025

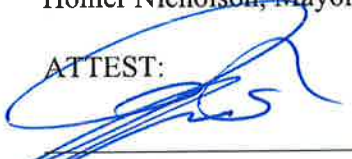
City of Ponca City, Oklahoma, a municipal corporation

By: 

Homer Nicholson, Mayor

FEB 10 2025

Date

ATTEST:


City Clerk

FEB 10 2025

Date