

**INDIANA STATEWIDE 911 BOARD**

**RESOLUTION NO. 2018-2**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
INDIANA STATEWIDE 911 BOARD  
APPROVING SETTLEMENT AGREEMENT**

**WHEREAS**, the Indiana Statewide 911 Board (the “Board”) is a separate public body corporate and politic of the State of Indiana (the “State”) created and existing under the authority of IND. CODE § 36-8-16.7-24;

**WHEREAS**, on July 30, 2015, the Board filed a Complaint in Marion Superior Court alleging that TracFone Wireless, Inc. (“TracFone”) and other wireless service providers had not collected and paid the applicable 911 Fees to the Board; and

**WHEREAS**, on August 31, 2015, TracFone (and others) removed the Board’s lawsuit from the Marion Superior Court to the United States District Court for the Southern District of Indiana as Case No. 1:15-cv-01376-WTL-TAB; and

**WHEREAS**, the Board’s lawsuit has since been consolidated with another lawsuit and is now pending in the United States District Court for the Southern District of Indiana as Case No. 1:15-cv-01105-SEB-MJD (the “Lawsuit”); and

**WHEREAS**, the Board and TracFone wish to compromise and settle the Lawsuit and resolve any and all claims and disputes between them arising out of or relating to the 911 System, the 911 Fees, or the Services; and

**WHEREAS**, for this purpose, the Board and TracFone have negotiated a form of Settlement Agreement and Release (the “Settlement Agreement”) during informal negotiations, and both parties desire to enter into the Settlement Agreement for the purpose of resolving all matters related to the Lawsuit; and

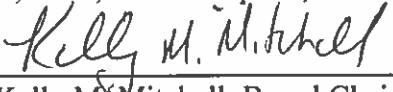
**WHEREAS**, the Board has reviewed the terms of the Settlement Agreement and believes it is in the best interest of the Board to settle the Lawsuit with TracFone pursuant to the Settlement Agreement and upon the terms outlined therein.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA STATEWIDE 911 BOARD, THAT:**

**Section 1. Approval of Settlement Agreement.** The Board hereby approves the Settlement Agreement with TracFone.

**Section 2. Authority to Execute Settlement Agreement.** The Board hereby authorizes the Executive Director of the Board to execute the Settlement Agreement on behalf of the Board.

Approved and adopted this 22<sup>nd</sup> day of August, 2018, in Indianapolis, Indiana.

  
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Kelly M. Mitchell, Board Chairperson

ATTEST:

  
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Edward Reuter, Executive Director

*[Signature Page of Resolution 2018-2]*