



City of Austin

Recommendation for Action

File #: 26-1741, **Agenda Item #:** 38.

5/7/2026

Posting Language

Authorize an offer of judgment in the matter of *Glen and Mindy Shield v. City of Austin* (Case No. 1:25-cv-01210) (WDTX) and payment of the judgment if accepted.

Lead Department

City Attorney's Office.

Client Department(s):

Austin Police Department

Fiscal Note

Funding is available in the 2025-2026 Liability Reserve Fund Budget.

For More Information:

Vasu Behara, Litigation Division Chief, and Assistant City Attorney Monte Barton at 512-974-2268.

Additional Backup Information:

The City is currently engaged in litigation styled *Glen and Mindy Shield v. City of Austin*. Under Federal Rule 68 of the Federal Rules of Civil Procedure, a defendant in a civil action may serve a formal Offer of Judgment on the plaintiff at least 14 days before trial. The offer specifies the amount of judgment and includes costs accrued up to that point. If the plaintiff accepts the offer within the 14-day window, the offer and acceptance are filed with the court, and judgment is entered immediately in accordance with the terms. If the plaintiff declines the offer and eventually obtains a verdict that is less favorable than the terms offered, Rule 68 requires the plaintiff to pay the defendant's post-offer litigation costs, providing a strong financial incentive to seriously evaluate settlement. The Rule is not an admission of liability. In this instance, authorizing an Offer of Judgment under Rule 68 allows the City to reduce risk, manage litigation costs proactively, and encourage settlement in a fiscally responsible manner.