

Lexington settles suit for \$2.4 million

Associated Press

LEXINGTON, Ky. — A 2-year-old lawsuit over alleged sexual abuse by the former head of a city-financed organization has ended with a judge's approval of a \$2.4 million settlement.

U.S. District Judge Karl S. Forester said Friday he would issue an order approving the agreement between the city of Lexington and 18 men who alleged abuse.

The lawsuit was filed by nine men on May 3, 2000. It claimed officials knew or should have known that Ron Berry was molesting boys who attended his program. Berry was the founder and operator of Micro-City Government from the 1970s until he resigned when he was convicted of sodomy in March 2000.

He was sentenced to three years in prison but is free on bond pending the outcome of an appeal before the Kentucky Supreme Court.

The settlement had grown to include 17 plaintiffs and was to be signed on June 3. An 18th man then came forward, and that threatened to derail the agreement.

During a half-hour hearing Friday, Robert Treadway, one of the plaintiffs' lawyers, agreed to withdraw his earlier request for class-action status. The city opposed such status because it might have encouraged more litigation. The city's attorney in the case asked the judge to rule out future class-action lawsuits, and Forester said he would. Treadway then backed down in order to speed the settlement process.

A Lexington attorney who had no formal role in the case but who had maintained since the 1980s that Berry was molesting children called the settlement a "cover-up." Lexington taxpayers have been cheated, Gayle Slaughter said, because they're paying money but aren't able to read the testimony that led the city to settle.

On May 15, when the city first announced its plans to settle, Mayor Pam Miller said the decision was reached despite a lack of "credible evidence of wrongdoing on the part of the government or its officials."

But Slaughter asked, "Why pay \$2.4 million if there was no credible evidence of wrongdoing?"

Miller declined to comment on the settlement.

Although lawyers for the alleged victims have waived class-action lawsuits for the future, Treadway said that doesn't mean there won't be any more lawsuits. He said he and the other lawyers in the case had been approached by men wanting to sue.

But Michael Baker, the defense attorney hired by the city, said he doubted future suits would be successful. "We believe that the statute of limitations has run" out, he said.

Kentucky and the Region