

SLC asks federal judge to enforce \$10K settlement with Geist owner

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Tom Smart/Deseret News, File photo

By Pat Reavy | Posted - Dec 17th, 2015 @ 3:03pm

SALT LAKE CITY — Salt Lake City has asked a federal judge to enforce a prior settlement agreement with the owner of a dog shot and killed by police — an agreement the owner later rejected.

Attorneys for the city filed a counterclaim in federal court this week against Sean Kendall, the owner of Geist, a 2-year-old Weimaraner, contending that he and his prior attorney had accepted a \$10,000 settlement and he needs to honor that.

In June of 2014, Salt Lake police were looking for a missing 3-year-old boy. Officer Brett Olsen went into a fenced backyard at 2465 S. 1500 East while conducting a yard-to-yard search. There, he was confronted by Geist. The confrontation resulted in Olsen shooting and killing Geist.

The shooting sparked outrage from residents and animal advocates across the nation.

A civilian review board cleared Olsen of any wrongdoing. But Kendall filed a civil rights lawsuit, contending that Olsen and other officers were negligent in their search by failing to thoroughly check the 3-year-old boy's home, where he was later found asleep in the basement.

Kendall also equated raising Geist to being a parent. He said the dog had at least 10 more years of life left.

In July of 2014, Brett Boulton, the attorney representing Sean Kendall, reached a settlement with the city regarding his client's lawsuit, according to court documents. But a few days later, Kendall said he would not accept the agreement. He has since switched attorneys and is now represented by former Salt Lake City Mayor Rocky Anderson.



(Photo courtesy Sean Kendall)

In October, Kendall filed a civil rights lawsuit in 3rd District Court seeking a jury trial to consider \$1.5 million in special damages and \$500,000 in punitive damages from Olsen and Salt Lake Police Lt. Brian Purvis.

Earlier this month, the case was transferred to federal court.

"Kendall has filed a complaint against Salt Lake City and its employees for claims relating to the shooting of his dog Geist and is seeking damages in excess of \$1.5 million for the shooting of his dog, despite his agreement to resolve all claims relating to that event for \$10,000. The city seeks enforcement of the settlement agreement," attorneys for the city wrote in their counterclaim filed in federal court on Tuesday.

The city admits that Olsen entered the yard and shot Geist but denies many of the other allegations made in Kendall's suit.

