



NEWS RELEASE

Board of Supervisors

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Joint statement regarding settlement with Colonies Partners



The County of San Bernardino, its Flood Control District, Colonies Partners, L.P., and Colonies' co-managing partner, Jeffrey Burum, jointly announce that they have reached a settlement agreement resolving litigation that was filed in 2018. The settlement agreement was approved by the Board of Supervisors, Colonies Partners, and Mr. Burum on November 24. The litigation included, among other things, a civil rights claim against the County, former District Attorney Michael A. Ramos, and three former District Attorney office members for First Amendment retaliation and a breach of contract claim against the County and the Flood Control District.

Both sides vigorously contested the litigation, which included extensive discovery and multiple contentious motions. The \$65 million that will be paid to Mr. Burum and Colonies Partners reflects the claims and damages, including losses and out-of-pocket costs, incurred by Mr. Burum and Colonies Partners in the alleged retaliatory investigation and prosecution of Mr. Burum, which resulted in his acquittal on all counts. The agreement ends many years of disputes between the County and Flood Control District and Mr. Burum and the Colonies Partners.

In March of this year, U.S. District Judge Jesus G. Bernal found that Mr. Ramos acted in bad faith when he destroyed emails and text messages during the litigation, issued a sanctions order, and ruled that the jury would be instructed that those deleted messages would have been adverse to the County's case. If the case had gone to trial, Colonies Partners and Mr. Burum were seeking damages of between \$120 million and \$185 million.

"This agreement protects the county's taxpayers from what could have been a more costly outcome," said David Wert, County Public Information Officer. "This subject has consumed a great deal of the County and Flood Control District's attention and resources for the past two decades. The County and Flood Control District look forward to moving beyond this and giving their undivided attention to improving the lives of county residents."

Stephen Larson, lead counsel for both Colonies Partners and Mr. Burum, stated: "The settlement as approved by all parties brings to an end the long and traumatizing conflict that unnecessarily consumed more than two decades of Mr. Burum's life and inflicted lasting damage on his business interests, his finances, his family and his personal wellbeing. Despite a deep desire to see these matters presented publicly to jurors in a court of law, Mr. Burum and the Colonies Partners agree that, for themselves and the residents of San Bernardino County, the time has come to bring this troubling chapter to a conclusion."

The County is investigating options for potential recovery of the settlement funds through insurance coverage.

Per the terms of the settlement agreement, the parties have agreed not to make any further comment about the settlement.