

INTERNAL
OPERATIONS
STANDING
COMMITTEE

**OFFICE OF CONTRACTING
AND PROCUREMENT**

February 28, 2019

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6001653 100% City Funding – Amend 1 - To Provide Legal Services to Represent The City of Detroit and Police Officer Thomas Zberkot and Provide Litigation Services in the Post-Verdict Proceedings and Appeal of Marvin Seales V COD ET AL, 12-CV-11679. – Contractor: Plunkett Cooney P.C. – Location: 150 W. Jefferson, Suite 800, Detroit, MI 48226 – Contract Period: Upon City Council Approval through December 31, 2020 – Contract Increase: \$250,000.00 - Total Contract Amount: \$550,000.00
LAW (This Amendment is for an Increase in Funds Only. Original Contract Amount: \$300,000.00)

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER MCCALISTER

RESOLVED, that Contract No. 6001653 referred to in the foregoing communication dated February 28, 2019, be hereby and is approved.



CITY OF DETROIT
LAW DEPARTMENT



COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3437
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV

February 20, 2019

HONORABLE CITY COUNCIL

RE: Deloris Lee v City of Detroit
Case No: 17-003296-NI
File No: L17-00149(EVK)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that the City should agree to the entry of an Order of Dismissal and enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution.

We, therefore, request authorization to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate on the terms and conditions set forth in the following resolution and, upon certification by the Law Department that the arbitrator has announced a decision requiring the City to pay a designated sum to the Plaintiff, that Your Honorable Body direct the Finance Director to issue a draft payable to **Deloris Lee and Mike Morse Law Firm, her attorney** in the amount the City is to pay the Plaintiff pursuant to the arbitrator's decision, but said draft shall not exceed **ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00)**.

Respectfully submitted,

Edward V. Keelean
Supervising Assistant Corporation Counsel

APPROVED: **FEB 26 2019**

LAWRENCE T. GARCIA
Corporation Counsel

BY:
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachment

CITY CLERK 2019 FEB 27 PM 01:01

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that:

The Law Department is authorized to agree to entry of an Order of Dismissal and to enter into an Agreement to Arbitrate in the case of **Deloris Lee v City of Detroit**, Wayne County Circuit Court Case No. 17-003296-NI, on the following terms and conditions:

- A. 1. The parties shall submit to arbitration all matters in controversy raised in the above-named lawsuit.
2. Plaintiff shall recover a minimum amount of **Zero Dollars (\$0.00)**.

The maximum amount of any award to the Plaintiff shall not exceed the amount of **One Hundred Fifty Thousand Dollars (\$150,000.00)**.

3. Any award in excess of **\$150,000.00** shall be interpreted to be in the amount of **\$150,000.00**.

There shall be no costs, fees, attorney fees or interest taxable with respect to the award rendered by the arbitrator.

The award of the arbitrator shall represent a full and final settlement of any amounts due and owing to Plaintiff for any and all claims arising out of the incident which occurred on or about May 17, 2016 at or near Conant and 7 Mile Road; however, limited judicial review may be obtained in a Michigan Federal District Court or Michigan Circuit Court of competent jurisdiction (a) in accordance with the standards for review of arbitration awards as established by law; or (b) on the ground that the arbitrator committed an error of law.



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3437
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV

7

February 19, 2019

HONORABLE CITY COUNCIL

**RE: AMBER STRICKLAND vs CITY OF DETROIT
DEPARTMENT OF WATER AND SEWERAGE
FILE #: 13230 (PSB)**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential attorney-client privileged memorandum that is being separately hand delivered to each member of your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)** is in the best interests of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)** and that your Honorable Body authorize and direct the Finance Director to issue a draft in that amount payable to **Amber Strickland and her attorney, Alex Berman**, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #13230, approved by the Law Department.

Respectfully submitted,

Phillip S. Brown
Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: FEB 21 6 2019

CHARLES RAIMI
Deputy Corporation Counsel

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that settlement of the above matter be and hereby is authorized in the amount of **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor **Amber Strickland and her attorney, Alex Berman**, in the sum of **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)** in full payment of any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of her past employment with the City of Detroit and that said amount be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: FEB 27th 2019



CHARLES RAIMI
Deputy Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3437
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV



February 25, 2019

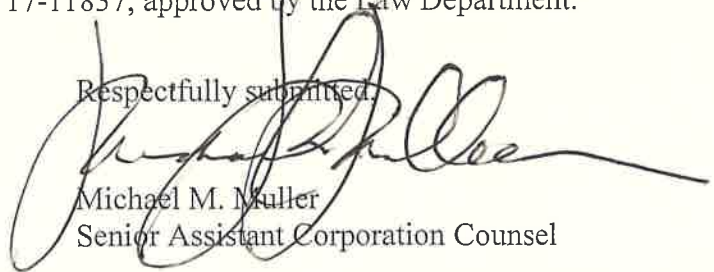
HONORABLE CITY COUNCIL

RE: RHONDA WILSON v CAPTAIN MARK BLISS et. al.
CASE NO. 17-11837 U.S. District Court
FILE NO. A37000-00348 (MMM)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Fifteen Thousand Dollars and No Cents (\$15,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Fifteen Thousand Dollars and No Cents (\$15,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft payable to **RHONDA WILSON and MICHAEL S. CAFFERTY & ASSOCIATES, PC, her attorneys**, in the amount of **Fifteen Thousand Dollars and No Cents (\$15,000.00)**, and to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 17-11837, approved by the Law Department.

Respectfully submitted,

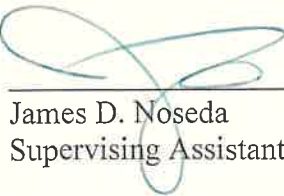


Michael M. Muller
Senior Assistant Corporation Counsel

APPROVED: FEB 26 2019

LAWRENCE T. GARCIA
Corporation Counsel

BY:



James D. Nosedo
Supervising Assistant Corporation Counsel

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount **Fifteen Thousand Dollars and No Cents (\$15,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **RHONDA WILSON and MICHAEL S. CAFFERTY & ASSOCIATES, PC, her attorneys**, in the amount of **Fifteen Thousand Dollars and No Cents (\$15,000.00)** in full payment for any and all claims which **RHONDA WILSON** may have against City of Detroit, Kyla Williams, Mark Bliss and any other City of Detroit employees by reason of alleged injuries sustained on or about **February 20, 2014 through the present** and as otherwise set forth in Case No. 17-11837 filed in the United States District Court for the Eastern District of Michigan, Southern Division, and that said amount be paid upon receipt of a properly executed Release and a Stipulation and Order of Dismissal entered in Case No. 17-11837.

APPROVED:

LAWRENCE T. GARCIA
Corporation Counsel

BY:



James D. Nosed
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3437
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV

9

February 21, 2019

HONORABLE CITY COUNCIL

RE: Julius Bey v City of Detroit
Case No: 18-000401-NI
File No: L18-00065(EVK)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **FORTY-TWO THOUSAND DOLLARS AND NO CENTS (\$42,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **FORTY-TWO THOUSAND DOLLARS AND NO CENTS (\$42,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **JULIUS BEY AND HIS ATTORNEY, ROMANO LAW, PLLC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-000401-NI, approved by the Law Department.

Respectfully submitted,

Edward V. Keelean
Supervising Assistant Corporation Counsel

APPROVED **FEB 25 2019**

LAWRENCE T. GARCIA
Corporation Counsel

BY:
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2019 FEB 27 PM 3:51

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **FORTY-TWO THOUSAND DOLLARS AND NO CENTS (\$42,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **JULIUS BEY AND HIS ATTORNEY, ROMANO LAW, PLLC**, in the amount of **FORTY-TWO THOUSAND DOLLARS AND NO CENTS (\$42,000.00)** in full payment for any and all claims which Julius Bey may have against the City of Detroit and any other City of Detroit employees by reason of injuries sustained on or about August 27, 2015, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.18-000401-NI and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit, approved by the Law Department.

APPROVED:

LAWRENCE T. GARCIA
Corporation Counsel

BY:  _____
Krystal A. Crittendon
Supervising Assistant Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

10
COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3437
PHONE 313•224•4550
FAX 313•224•5505
WWW.DETROITMI.GOV

February 21, 2019

HONORABLE CITY COUNCIL

RE: Maja Golden v City of Detroit
Case No: 18-003478-NO
File No: L18-00190(PH)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Six Thousand Five Hundred Dollars and NO/Cents (\$6,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Six Thousand Five Hundred Dollars and NO/Cents (\$6,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Maja Golden and her attorney, **Kelman & Fantich**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-003478-NO, approved by the Law Department.

Respectfully submitted,

Philip Hiltner
Assistant Corporation Counsel

APPROVED: FEB 25 2019

LAWRENCE GARCIA
Corporation Counsel

BY:

KRYSTAL A. CRITTENDON
SUPERVISING ASSISTANT CORPORATION COUNSEL

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Six Thousand Five Hundred Dollars and ^{NO}/Cents (\$6,500.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Maja Golden and her attorney, **Kelman & Fantich**, in the amount of **Six Thousand Five Hundred Dollars and ^{NO}/Cents (\$6,500.00)** in full payment for any and all claims which Maja Golden may have against the City of Detroit and any other City of Detroit employees by reason of alleged auto accident injuries sustained on or about March 31, 2017, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.18-003478-NO and, where it is deemed necessary or desirable by the Law Department, a properly executed Medicare Reporting and Indemnification Affidavit, approved by the Law Department.

APPROVED:

LAWRENCE GARCIA
Corporation Counsel

BY:



KRYSTAL A. CRITTENDON
SUPERVISING ASSISTANT CORPORATION COUNSEL