

Formal
November 5, 2019

**INTERNAL
OPERATIONS
STANDING
COMMITTEE**



CITY OF DETROIT
LAW DEPARTMENT

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3535
(313) 224-4550 • TTY:711
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October 22, 2019

HONORABLE CITY COUNCIL

**RE: Mamie Chalmers v City of Detroit
Civil Action Case No: 19-006063-NI**

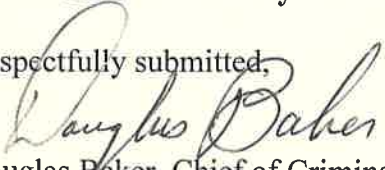
Representation by the Law Department of the City employee listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of the official duties of such Defendant. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "YES" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

Employee requesting representation:

TEO Antonio Tyson

Respectfully submitted,


Douglas Baker, Chief of Criminal
Enforcement and Quality of Life

APPROVED:

BY: 
LAWRENCE T. GARCIA
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2019 OCT 30 PM 2:52

RESOLUTION

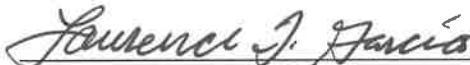
By Council Member

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation and indemnification to the following employee in the lawsuit **Mamie Chalmers v City of Detroit, Civil Case No. 19-006063-NI.**

TEO Antonio Tyson

APPROVED:

BY:



LAWRENCE T. GARCIA
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

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October 24, 2019

HONORABLE CITY COUNCIL

**RE: David Mowett v City of Detroit
Civil Action Case No: 16-12971**

Representation by the Law Department of the City employee listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of the official duties of such Defendant. We further recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "YES" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

Employee requesting representation:

Program Analyst Jennifer Mahone

Respectfully submitted,

Douglas Baker, Chief of Criminal
Enforcement and Quality of Life

APPROVED:

BY: Lawrence T. Garcia
LAWRENCE T. GARCIA
CORPORATION COUNSEL

DB/sb

Attachments

RESOLUTION

By Council Member

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation and indemnification to the following employee in the lawsuit **David Mowett v City of Detroit et al. Civil Case No. 16-12971.**

Program Analyst Jennifer Mahone

APPROVED:

BY: *Lawrence T. Garcia*
LAWRENCE T. GARCIA
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

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October 28, 2019

HONORABLE CITY COUNCIL

**RE: Alaa Saade v City of Detroit
Civil Action Case No: 19-11440**

Please be advised that on September 18, 2019, we received a copy of a complaint filed by **Alaa Saade** in the U.S. District Court, Case No. 19-11440. Pursuant to Section 7.5-203 of the City Charter, my office will be representing the defendant-employee in this new, civil litigation, as the matter appears to arise from official duties.

After the discovery period and/or when the question is ripe, the Law Department will submit a recommendation relative to City Council's decision on the question of whether to provide the defendant-employee with indemnification for payment of settlement or a judgment. Employee requesting representation:

EMS Captain Earl T. Goodman Emergency Medical Services

Respectfully submitted,

Douglas Baker, Chief of Criminal
Enforcement and Quality of Life

APPROVED:

BY:
LAWRENCE T. GARCIA
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2019 OCT 30 PM 2:52

RESOLUTION

By Council Member

:

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation to the following employee in the lawsuit **Alaa Saade v City of Detroit et al. Civil Case No. 19-11440.**

EMS Captain Earl T. Goodman Emergency Medical Services

APPROVED:

BY: *Lawrence T. Garcia*
LAWRENCE T. GARCIA
CORPORATION COUNSEL



CITY OF DETROIT
LAW DEPARTMENT

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October 23, 2019

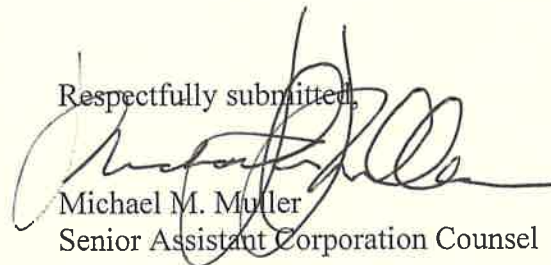
HONORABLE CITY COUNCIL

RE: TERESA THOMAS v CITY OF DETROIT et. al.
CASE NO. 19-12708
FILE NO. L19-00657 (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 **Fifty Thousand Dollars and No Cents (\$50,000.00)** is in the best interest of the City of Detroit.

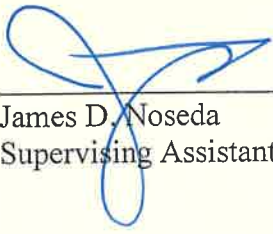
We, therefore, request authorization to settle this matter in the amount of **Fifty Thousand Dollars and No Cents (\$50,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft payable to **TERESA THOMAS and OLSON PLLC, her attorney**, in the amount **Fifty Thousand Dollars and No Cents (\$50,000.00)**, and to be delivered upon receipt of a properly executed Release and Stipulation and Order of Dismissal entered in Lawsuit No. 19-12708, approved by the Law Department.

Respectfully submitted,



Michael M. Muller
Senior Assistant Corporation Counsel

APPROVED: OCT 28 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 **Fifty Thousand Dollars and No Cents (\$50,000.00)**; 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 **TERESA THOMAS and OLSON PLLC, her attorney**, in the amount of **Fifty Thousand Dollars and No Cents (\$50,000.00)** in full payment for any and all claims which **TERESA THOMAS** may have against the City of Detroit, Shawn Mortier, Kimberly Wright, and any other City of Detroit employees by reason of alleged injuries sustained on or about **July 19, 2019** and as otherwise set forth in Case No. 19-12708 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. 19-12708.

APPROVED:

LAWRENCE T. GARCIA
Corporation Counsel

BY:



James D. Nosedá
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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October 8, 2019

HONORABLE CITY COUNCIL

RE: TONYA MONIQUE JOHNSON v CITY OF DETROIT and BONITA STONE
CASE NO.: 18-006594 NF
FILE NO.: L18-00418 (CB)

On **April 30, 2019**, Your Honorable Body authorized the Law Department to accept the case evaluation award in the above-captioned case in the amount of **FIFTY-NINE THOUSAND and NO CENTS (\$59,000.00)**. The requested case evaluation amount was not accepted by Plaintiff. We, therefore, request that you rescind the original resolution permitting settlement of the above-captioned case.

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 **EIGHTY- FIVE THOUSAND and NO CENTS (\$85,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **EIGHTY-FIVE THOUSAND and NO CENTS (\$85,000.00)** and that Your Honorable Body direct the Finance Director to issue two drafts. The first draft in the amount of **Eighty-four Thousand Three Hundred Eighteen Dollars and Thirteen Cents (\$84,318.13)** in that amount payable to payable to **CANNER LAW PLLC.**, her attorneys, and **TONYA MONIQUE JOHNSON**. The second draft in the amount of **Six Hundred Eight-one Dollars and Eighty-seven Cents (\$681.87)** payable to **MEDICARE**, be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-006594-NF, approved by the Law Department.

Respectfully submitted,

Calvert Bailey
Assistant Corporation Counsel

APPROVED: **OCT 25 2019**

LAWRENCE T. GARCIA
Corporation Counsel

BY:
Krystal A. Crittendon, Supervising
Assistant Corporation

CITY CLERK 2019 OCT 30 PM 2:52

RESOLUTION

BY COUNCIL MEMBER _____:


RESOLVED, that the Law Department is hereby authorized to accept the case evaluation in the amount of **Eighty-five Thousand Dollars and No Cents (\$85, 000.00)** in the case of **Tonya Monique Johnson v City of Detroit and Bonita Stone**, Wayne County Circuit Court Case No. 18-006594 NF; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw 2 (two) separate warrants. The first warrant upon the proper account in favor of **TONYA MONIQUE JOHNSON, her attorneys, and CANNER LAW PLLC.**, in the amount of **Eighty-four Thousand Three Hundred Eighteen Dollars and Thirteen Cents (\$84,318.13)**. The second warrant upon the proper account in favor of **MEDICARE** in the amount of **Six Hundred Eighty-one Dollars and Eighty-seven Cents (\$681.87)** in full payment for any and all claims which **TONYA MONIQUE JOHNSON** may have against the City of Detroit and/or its employees and agents by reason of alleged injuries when the DOT coach on which she was a passenger allegedly struck another vehicle, causing Plaintiff to be injured on or about

November 5, 2016 and November 15, 2013 and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-006594 NF 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: 
KRISTAL A. CRITTENDON, Supervising
Assistant Corporation Counsel

Approved by City Council: _____
Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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October 22, 2019

Lawrence Garcia
Corporation Counsel

RE: *Maria Navarrete, et al v City of Detroit, et al*
Case No. 2:19-cv-11223
File No.: L19-00250 (GBP)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum attached hereto. From this review, it is our considered opinion that a settlement in the amount of **One Hundred Thirty Five Thousand Dollars and Zero Cents (\$135,000.00)** is in the best interest of CITY OF DETROIT.

We, therefore, request authorization to settle this matter in the amount of **One Hundred Thirty Five Thousand Dollars and Zero Cents (\$135,000.00)** and that you direct the Finance Director to issue a draft in that amount payable to MARIA S. NAVARRETE (individually and on behalf of J.N., a minor), ADAN N. ESTRADA, ISAIAS A. NAVARRETE, NOE NAVARRETE, NOE NAVARRETE JR., MARIA D.C. NAVARRETE, and SELENE NAVARETTE, and their attorneys, MARCEL S. BENAVIDES and NICHOLAS E. BACKOS, to be delivered upon receipt of an Order of Dismissal entered in Lawsuit No.: 2:19-cv-11223, approved by the Law Department.

Very truly yours,

Gregory B. Paddison
Senior Assistant Corporation Counsel

APPROVED: **OCT 25 2019**

Lawrence Garcia
Corporation Counsel

By:


Krystal Crittendon
Supervising Assistant Corporation Counsel

CITY CLERK 2019 OCT 30 PM 2:51

RESOLUTION

BY COUNCIL MEMBER: _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **One Hundred Thirty-Five Thousand Dollars and Zero Cents (\$135,000.00)**; 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 **MARIA S. NAVARRETE (individually and on behalf of J.N., a minor), ADAN N. ESTRADA, ISAIAS A. NAVARRETE, NOE NAVARRETE, NOE NAVARRETE JR., MARIA D.C. NAVARRETE, and SELENE NAVARETTE**, and their attorneys, **MARCEL S. BENAVIDES and NICHOLAS E. BACKOS**, in the amount of **One Hundred Thirty-Five Thousand Dollars and Zero Cents (\$135,000.00)** in full payment for any and all claims which **MARIA S. NAVARRETE (individually and on behalf of J.N., a minor), ADAN N. ESTRADA, ISAIAS A. NAVARRETE, NOE NAVARRETE, NOE NAVARRETE JR., MARIA D.C. NAVARRETE, and SELENE NAVARETTE**, may have against Defendants, CITY OF DETROIT, FREDERICK MCINTYRE, CYPRIAN FREEMAN, VIERA BROWNLEE, MELANIE ARMSTRONG, ALLEN WILLIAMS, TREMAYNE BURTON, GERRY JOHNSON, DAVID MEADOWS, TYRONE BATES, JOI GARY-GAINES, EVERETT RICHARDSON, RADAMES BENITEZ, JASON CLARK, KEVIN ZAROSLY, LATASHA ADAMS, AMBER (TAYLOR) ROBERSON, JEFFREY BANKS, ALLEN WILLIAMS, BRADLEY DONEGAN, HOLLY REED, and KRISHRION SCOTT, by reason of the Constitutional Violations alleged to have occurred on or about May 9, 2017, and that said amount be paid upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.: 2:19-cv-11223, approved by the Law Department.

APPROVED:

LAWRENCE GARCIA
Corporation Counsel

By: 
Krystal A. Crittendon
Supervising Assistant Corporation Counsel



CITY OF DETROIT
LAW DEPARTMENT

October 28, 2019

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HONORABLE CITY COUNCIL

RE: Kendricks, Isiah v COD and Cleo Strickland
Case No: 18-014114-NI
File No: L18-00692TJ

On October 21, 2019 a case evaluation panel evaluated the above-captioned lawsuit and awarded **Forty-Six Thousand and NO/Cents (\$46,000.00)** in favor of the plaintiff and intervening plaintiffs. The parties have until November 18, 2019, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that a settlement in the amount of **Forty-Six Thousand Dollars and NO/Cents (\$46,000.00)** is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event Plaintiffs accept the award, to deem such acceptance as a settlement and to direct the Finance Director to issue drafts in the following amounts payable to: 1) Isiah Kendricks and his attorney, Reifman Law Firm PLLC, for Thirty-Five Thousand Dollars and NO/Cents (\$35,000.00); 2) Precise MRI of Michigan, LLC and their attorney Kased Law, PLLC, for Three-Thousand and Five Hundred Dollars and NO/Cents (\$3,500); and to 3) Advanced Surgery Center, LLC and their attorney Koussan Hamood, PLC, for Seven-Thousand, Five-Hundred Dollars and NO/Cents (\$7,500).

These checks shall be delivered upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.18-014114-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

Respectfully submitted,
Tana Jenkins
Tana Jenkins
Assistant Corporation Counsel

APPROVED: **OCT 29 2019**
LAWRENCE GARCIA
Corporation Counsel

BY: *Y. Bradley*
Yvonne R. Bradley
Supervising Assistant Corporation Counsel

CITY CLERK 2019 OCT 30 PM 2:54

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-Six Thousand Dollars and ^{NO}/Cents (\$46,000.00)**; and be it further

RESOLVED, that in the event Plaintiffs accept the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Isiah Kendricks and his attorney, Reifman Law Firm PLLC, in the amount of **Thirty-Five Thousand Dollars and ^{NO}/Cents \$35,000.00**; and 2) Precise MRI of Michigan, LLC and their attorney Kased Law, PLLC in the amount of **Three-Thousand, Five-Hundred Dollars and ^{NO}/Cents \$3,500**; and 3) Advanced Surgery Center, LLC and their attorney Koussan Hamood, PLC in the amount of **Seven-Thousand, Five-Hundred Dollars and ^{NO}/Cents \$7,500**, for a total amount of **Forty-Six Thousand Dollars and ^{NO}/Cents (\$46,000.00)** in full payment for any and all claims which Isiah Kendricks and Assignees Precise MRI of Michigan LLC, and Advanced Surgery Center may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about 05/24/2018, and otherwise set forth in Case No.18-014114-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.18-014114-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY: 

Yvonne R. Bradley
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

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October 28, 2019

HONORABLE CITY COUNCIL

**RE: Charles Turner, Reuben Bryant, Timothy Davis, and Tyesha Brown
v City of Detroit
Case NO. 14-14036 USDC
File No. L14-000357 (JDN)**

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 **Fifty-Five Thousand Dollars and No Cents (\$55,000.00)**, is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of the **Fifty-Five Thousand Dollars and No Cents (\$55,000.00)** in full payment for any and all claims which were or may have been brought against City of Detroit in Case No. 10-12162 filed in the United States District Court for the Eastern District of Michigan, Southern Division, and that said amount be paid upon receipt of properly executed Release and Stipulation and Order of Dismissal entered in Case No. 14-140362 approved by the Law Department.

Respectfully submitted,

James D. Noseda
Supervising Assistant Corporation Counsel

APPROVED: OCT 28 2019

Lawrence T. Garcia
Corporation Counsel

BY:
Charles N. Raimi
Deputy Corporation Counsel

CITY CLERK 2019 OCT 30 PM 2:50

RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount Fifty-Five **Thousand Dollars and No Cents (\$55,000.00)**, 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 **Charles Turner, Reuben Bryant, Timothy Davis, and Tyesha Brown, and Loevy & Loevy, their attorneys**, in the amount of **Fifty-Five Thousand Dollars and No Cents (\$55,000.00)** in full payment for any and all claims which were or may have been brought against City of Detroit in Case No. 14-14036 filed in the United States District Court for the Eastern District of Michigan, Southern Division, and that said amount be paid upon receipt of properly executed Release, and Stipulation and Order of Dismissal in Case No. 14-14036 approved by the Law Department.

APPROVED:

Lawrence T. Garcia
Corporation Counsel

BY: _____
James D. Nosedo, Supervising
Assistant Corporation Counsel

Approved by City Council: _____

Approved by Mayor: _____

MEMORANDUM

TO: Lawrence Garcia, Director
Corporation Counsel

FROM: Council President Brenda Jones BJ

DATE: October 29, 2019

RE: Ordinance Request

Please draft an ordinance creating a process and time frame for document retention to prevent the unethical elimination of emails, documents or other information related to City of Detroit contractors, non-profit entities or other individuals/entities receiving public support through general or grant funding.