



LAW DEPARTMENT

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May 24, 2023

HONORABLE CITY COUNCIL

RE: TANAKA, PETER V CITY OF DETROIT, TIMOTHY BARR, ET AL.
CASE NO: 22-11219
FILE NO: L22-01117 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 **FORTY-EIGHT THOUSAND DOLLARS and ^{NO}/Cents (\$48,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to submit an offer of judgment pursuant to Fed. R. Civ. P. 68 in the amount of **FORTY-EIGHT THOUSAND DOLLARS and ^{NO}/Cents (\$48,000.00)** and that, in the even that offer is accepted, Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **PETER TANAKA and HIS attorney, NACHT & ROUMEL, P.C.**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 22-11219, approved by the Law Department.

Respectfully submitted,

/s/ Philip J. Hiltner
Philip Hiltner
Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Krystal A. Crittendon
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that an offer of judgment may be made in the above matter pursuant to Fed. R. Civ. P. 68 in the amount of **FORTY-EIGHT THOUSAND DOLLARS and ^{NO}/Cents (\$48,000.00)** for damages and attorney fees; and be it further

RESOLVED, that in the even the officer if judgment is accepted by Plaintiff the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **PETER TANAKA and HIS attorney, NACHT & ROUMEL, P.C.**, in the amount of **FORTY-EIGHT THOUSAND DOLLARS and ^{NO}/Cents (\$48,000.00)** in full payment for any and all claims which Peter Tanaka may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **August 22, 2020**, and otherwise set forth in Case No.22-11219, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 22-11219 and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Krystal A. Crittendon
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____