



January 4, 2022

HONORABLE CITY COUNCIL

**RE: Urban Medical Farms, LLC and Jarred Kwiatkowski v COD
Wayne County Circuit Court Case No: 21-008378-CH
File No: L21-00601**

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 of this lawsuit is appropriate under the following terms:

- A. The City shall waive the requirement that Plaintiffs obtain dimensional waivers of the zoning restrictions applicable to their proposed co-located medical marijuana grower and processor uses at 9700 East Eight Mile Road, shall issue a new or amended Certificate of Occupancy allowing both a medical marijuana processor use and a medical marijuana grower use at this location, and shall immediately resume processing Plaintiffs' application for a medical marijuana grower license at such location.
- B. If the City issues Plaintiffs a medical marijuana grower license, the City shall pay Plaintiffs the sum of Sixty-Seven Thousand Five Hundred Dollars (\$67,500) in full settlement of all claims they may have against the City or any City representative.
- C. At the time of issuance of the medical marijuana grower license (and a new Certificate of Occupancy if necessary) and payment of the settlement amount, the parties shall stipulate to dismiss the lawsuit with prejudice and without any attorney fees or costs.
- D. The parties will draft and execute a settlement agreement, in a form approved by the Law Department, including mutual releases.

We therefore request authorization to settle this matter in the amount of Sixty-Seven Thousand Five Hundred Dollars (\$67,500), payable to Urban Medical Farms, LLC, Jarred Kwiatkowski and their attorneys, Williams Williams Rattner & Plunkett. P.C., upon the terms set forth above.

Respectfully submitted,
Eric B Gaabo
Senior Assistant Corporation Counsel

APPROVED:
CHARLES N. RAIMI
Deputy Corporation Counsel

BY: /s/James D. Nosed
James D. Nosed
Supervising Assistant Corporation Counsel
Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that that settlement of the above matter be and is hereby authorized accruing to the following terms:

- A. The City shall waive the requirement that Plaintiffs obtain dimensional waivers of the zoning restrictions applicable to their proposed co-located medical marijuana grower and processor uses at 9700 East Eight Mile Road, shall issue a new or amended Certificate of Occupancy allowing both a medical marijuana processor use and a medical marijuana grower use at this location, and shall immediately resume processing Plaintiffs’ application for a medical marijuana grower license.

- B. If the City issues Plaintiffs a medical marijuana grower license, the Finance Director is hereby authorized and directed to draw a warrant upon the proper account in favor of Urban Medical Farms, LLC, Jarred Kwiatkowski and their attorneys, Williams Williams Rattner & Plunkett. P.C., in the amount of Sixty-Seven Thousand Five Hundred Dollars (\$67,500) in full payment for any and all claims which Plaintiffs may have against the City of Detroit, or any of the City’s officers, employees, agents or representatives, including but not limited to all claims which were or could have been raised in the case entitled “Urban Medical Farms, LLC and Jarred Kwiatkowski v City of Detroit,” Wayne County Circuit Court Case No. 21-008378-CZ (“the Lawsuit”).

- C. Upon the issuance of the medical marijuana grower license (and a new or amended Certificate of Occupancy) and payment of the settlement amount, the parties shall stipulate to the entry of an order dismissing the Lawsuit with prejudice and without any attorney fees or costs.

- D. The parties will draft and execute a settlement agreement, in a form approved by the Law Department, including mutual releases.

APPROVED:

CHARLES L. RAIMI
Deputy Corporation Counsel

BY: /s/James D. Noseda

James D. Noseda
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____