



**LAW DEPARTMENT**

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January 31, 2024

**HONORABLE CITY COUNCIL**

RE: Berry, Robert, et al. v City of Detroit, Marcellus Ball, et al.  
Case No: 20-014056-NO  
File No:L20-00833 CBO

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 **Seventy-Five Thousand Dollars and <sup>NO</sup>/Cents (\$75,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Seventy-Five Thousand Dollars and NO/Cents (\$75,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Robert Lee Berry, Eugene Berry, and Mary Berry and **THEIR** attorney, Wilder Legal Group, PLC, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.20-014056-NO, approved by the Law Department.

Respectfully submitted,  
Crystal Olmstead  
Senior Assistant Corporation Counsel

**APPROVED:**  
CONRAD MALLET  
Corporation Counsel

BY: /s/James D. Noseda  
**James D. Noseda**  
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 **Seventy-Five Thousand Dollars and <sup>NO</sup>/Cents (\$75,000.00)**; 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 Robert Lee Berry, Eugene Berry, and Mary Berry and **THEIR** attorney, Wilder Legal Group, PLC, in the amount of **Seventy-Five Thousand Dollars and NO/Cents (\$75,000.00)** in full payment for any and all claims which Robert Lee Berry, Eugene Berry, and Mary Berry may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.20-014056-NO, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 20-014056-NO and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
CONRAD MALLET  
Corporation Counsel

BY: /s/James D. Noseda  
**James D. Noseda**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_