



**LAW DEPARTMENT**

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February 15, 2024

**HONORABLE CITY COUNCIL**

**RE: FIVE STAR COMFORT CARE LLC AND REVIVAL PHYSICAL THERAPY  
(KERRY NICHOLS)  
CASE NO: 21-006560-NF  
FILE NO: L21-00532 (CB)**

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 **THIRTY-NINE DOLLARS and <sup>NO</sup>/Cents (\$39,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **THIRTY-NINE THOUSAND DOLLARS and <sup>NO</sup>/Cents (\$39,000.00)** and that Your Honorable Body direct the Finance Director to issue two drafts. The first draft in the amount of **NINE THOUSAND DOLLARS and Zero Cents (\$9,000.00)** payable to **FIVE STAR COMFORT CARE, LLC and THEIR attorneys, LAW OFFICES OF MICHAEL S. DAOUDI, P.C.**, The second draft in the amount of **THIRTY THOUSAND DOLLARS and Zero Cents (\$30,000.00)** payable to and **REVIVAL PHYSICAL THERAPY, LLC and THEIR attorneys, LAW OFFICES OF MICHAEL S. DAOUDI, P.C.**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 21-006560-NF, approved by the Law Department.

Respectfully submitted,

/s/ Calvert Bailey  
Calvert Bailey  
Assistant Corporation Counsel

**APPROVED: February 21, 2024**  
CONRAD MALLETT  
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 settlement of the above matter be and is hereby authorized in the amount of **THIRTY-NINE THOUSAND DOLLARS and <sup>NO</sup>/Cents (\$39,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw two separate warrants. The first warrant upon the proper account in favor of **FIVE STAR COMFORT CARE, LLC and THEIR attorneys, LAW OFFICES OF MICHAEL S. DAOUDI, P.C.**, in the amount of **NINE THOUSAND DOLLARS and Zero Cents (\$9,000.00)**. The second warrant upon the proper account in favor of **REVIVAL PHYSICAL THERAPY, LLC and THEIR attorneys, LAW OFFICES OF MICHAEL S. DAOUDI, P.C.**, in the amount of **THIRTY THOUSAND DOLLARS and Zero Cents (\$30,000.00)** in full payment for any and all claims which **FIVE STAR COMFORT CARE, LLC and REVIVAL PHYSICAL THERAPY, LLC**, may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **05/06/2020**, and otherwise set forth in Case No. 21-006560-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.21-006560-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED: February 21, 2024**  
CONRAD MALLETT  
Corporation Counsel

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

Approved by City Council: \_\_\_\_\_  
Approved by the Mayor: \_\_\_\_\_