



DEPARTMENTAL SUBMISSION

DEPARTMENT: Law
FILE NUMBER: Law-1041

*** RE:**

Submitting reso. autho. Settlement lawsuit of Urban Medical Farms llc and Jarred Kwiatkowski v City of Detroit

*** SUMMARY:**

- A. Case No. 21-008378-CH, File No. L21-00601 (EBG), A13000, 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").

*** RECOMMENDATION:**

- 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.

*** DEPARTMENTAL CONTACT:**

Name: Lisa Szwast
Position: Legal Assistant

***=REQUIRED**