



LAW DEPARTMENT

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April 12, 2024

HONORABLE CITY COUNCIL

RE: Swift, Diane and Robin Modock v City of Detroit and Nikeda Abner
Case No: 21-004710-NI
File No:L21-00562 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 **One Hundred Forty Two Thousand and Five Hundred Dollars and ^{NO}/Cents (\$142,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **One Hundred and Forty Two Thousand and Five Hundred Dollars and ^{NO}/Cents (\$142,500.00)** and that Your Honorable Body direct the Finance Director to issue **two drafts**: one in the amount of **Forty Two Thousand and Five Hundred Dollars and NO/Cents (\$42,500.00) payable to Robin Modock and her attorney, Elia & Ponto, PLLC**, and the second in the amount of **One Hundred Thousand Dollars and No/Cents (\$100,000.00) payable to Diane Swift and her attorney, Elia & Ponto, PLLC**, both to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissals entered in Lawsuit No.21-004710-NI, approved by the Law Department;

Respectfully submitted,
Crystal Olmstead
Senior Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/James D. Nosed
James D. Nosed
Deputy 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 **One Hundred Forty-Two Thousand and Five Hundred Dollars and ^{NO}/Cents (\$142,500.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw **two warrants** upon the proper account. The first warrant in favor of **Diane Swift and her attorney, Elia & Ponto, PLLC, in the amount of One Hundred Thousand Dollars and ^{NO}/Cents (\$100,000.00)** and the second warrant in favor of **Robin Modock and her attorney, Elia & Ponto, PLLC, in the amount of Forty Two Thousand Five Hundred Dollars and ^{NO}/Cents (\$42,500.00)** both in full payment for any and all claims which Diane Swift and Robin Modock 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.21-004710-NI, in the that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 21-004710-NI 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
Deputy Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____

