



LAW DEPARTMENT

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October 2, 2024

HONORABLE CITY COUNCIL

RE: DAVION PIPKINS V. CITY OF DETROIT, ET AL.

CASE NO.: 23-cv-10614

FILE NO.: L23-00162

On October 1, 2024, Your Honorable Body approved a resolution for an offer of judgment in the above identified civil matter in the total amount of **EIGHTY THOUSAND DOLLARS AND NO/CENTS (\$80,000.00)**. The Memorandum accompanying that resolution was erroneously entitled, "Lawsuit Settlement Memorandum" and the caption of the Memorandum erroneously identified the plaintiff as Peter Tanaka. The content of the remainder of the Memorandum was accurate. The intention of the Law Department was to request an offer of judgement for plaintiff, Davion Pipkins. Additionally, the resolution had typographical errors.

We, therefore, request authorization to submit an offer of judgment pursuant to Fed. R. Civ. P. 68 in the amount of **EIGHTY THOUSAND DOLLARS AND NO/CENTS (\$80,000.00)** and that, in the event the offer is accepted, Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **DAVION PIPKINS** and **HIS** attorney, **GOODMAN HURWITZ & JAMES, PC**, and that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 23-cv-10614 and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

WAIVER OF RECONSIDERATION REQUESTED.

Respectfully submitted,

/s/ Philip J. Hiltner

Philip J. Hiltner

Senior Assistant Corporation Counsel

APPROVED:

CONRAD MALLET

Corporation Counsel

BY: /s/ Yvonne R. Bradley

Yvonne R. Bradley

Supervising Assistant Corporation Counsel

Attachment

AMENDED RESOLUTION

BY COUNCIL MEMBER _____:

RESOLVED, that the resolution of October 1, 2024, authorizing settlement in the above matter is hereby **RESCINDED**, and be it further

RESOLVED, that an offer of judgment may be made in the above matter pursuant to Fed. R. Civ. P. 68 in the amount of **EIGHTY THOUSAND DOLLARS AND NO/CENTS (\$80,000.00)** for damages and attorney fees; and be it further

RESOLVED, that in the event the offer of judgment is accepted by Plaintiff the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **DAVION PIPKINS** and **HIS** attorney, **GOODMAN HURWITZ & JAMES, PC**, in the amount of **EIGHTY THOUSAND DOLLARS AND NO/CENTS (\$80,000.00)** in full payment for any and all claims which **Davion Pipkins** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, May 29, 2020, and otherwise set forth in Case No. 23-cv-10614 that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 23-cv-10614 and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/Yuvonne R. Bradley
Yuvonne R. Bradley
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____