



LAW DEPARTMENT

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June 25, 2025

HONORABLE CITY COUNCIL

**RE: City of Detroit v Detroit Police Officers Association and Detroit Fire Fighters Association
Wayne County Circuit Court Case Number 24-005523-CZ**

On May 27, 2025, your Honorable Body adopted a resolution authorizing payment in the amount of **THREE HUNDRED THOUSAND DOLLARS and NO/100 Cents (\$300,000.00)** to settle the lawsuit of City of Detroit v Detroit Police Officers Association and Detroit Fire Fighters Association, Wayne County Circuit Court Case No. 24-005523-CZ. However, the recommended settlement amount was incorrect. The correct amount of the settlement is **THREE HUNDRED THIRTY-FIVE THOUSAND NINETY-THREE DOLLARS and 13/100 Cents (\$335,093.13)**.

We, therefore, request authorization to settle this matter in the amount of **THREE HUNDRED THIRTY-FIVE THOUSAND NINETY-THREE DOLLARS and 13/100 Cents (\$335,093.13)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **RACINE & ASSOCIATES & IOLTA** to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Wayne County Circuit Court No. 24-005523-CZ approved by the Law Department.

Respectfully submitted,

/s/Conrad Mallett

Conrad Mallett

Corporation Counsel

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that the resolution regarding **City of Detroit v Detroit Police Officers Association and Detroit Fire Fighters Association**, Wayne County Circuit Court Case No. **24-005523-CZ** approved on May 27, 2025, is hereby **RESCINDED**; and be it further,

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **THREE HUNDRED THIRTY-FIVE THOUSAND NINETY-THREE DOLLARS and 13/100 Cents (\$335,093.13)**; 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 **RACINE & ASSOCIATES & IOLTA**, in the amount of **THREE HUNDRED THIRTY-FIVE THOUSAND NINETY-THREE DOLLARS and 13/100 Cents (\$335,093.13)**. in full payment for any and all claims which plaintiffs may have against the City of Detroit, and otherwise set forth in Wayne County Circuit Court Case No. 24-005523-CZ, that said amount be paid upon receipt of property executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 24-005523-CZ, approved by the Law Department.

APPROVED:
CONRAD MALLET
Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____

PRIVILEGED AND CONFIDENTIAL
ATTORNEY-CLIENT COMMUNICATION

LAW SUIT SETTLEMENT MEMORANDUM

*City of Detroit v. v Detroit Police Officers Association and Detroit Fire Fighters Association;
Case Number 24-005523-CZ*

SUBJECT MATTER OF LAWSUITS: The Detroit Police Officers Association submitted a request under the Freedom of Information Act seeking information pertaining to the health, insurance and prescription information for all employees of the City of Detroit. The City of Detroit filed a Complaint for declaratory judgment prohibiting the turnover of information the City of Detroit deems private and protected from disclosure.

FACTS:

On or about March 21, 2025, the Detroit Police Officers Association submitted a request under the Freedom of Information Act seeking information and data regarding the medical, prescription and insurance information of all employees in the City of Detroit. The Detroit Police Officers Association asserts that it needs the information in order to informatively negotiate its Collective Bargaining Agreement with the City of Detroit. The City of Detroit denied the request due to the protected and private information sought by the request. Further, based on a similar issue having occurred between the parties, The City of Detroit filed a Complaint for declaratory judgment seeking to prohibit the turnover the information requested.

LIABILITY/EVALUATION:

The City of Detroit filed a lawsuit against the Detroit Police Officers Association asserting its request for medical, prescription and health insurance data violated the Health Insurance Portability and Accountability Act, and is exempted by the Freedom of Information Act. In a similar matter brought by the Detroit Police Officers Association, Judge Kathleen McCarthy, case number 22-09666-CZ, ordered the turnover of similarly sought information and ordered attorney fees to be paid to counsel for the Detroit Police Officers Association. That matter is currently under

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appeal. The instant matter was reassigned to Judge McCarthy, allowing her to issue a similar order in the instant matter.

While the City of Detroit is confident in its position, in order to avoid the fines and fees as previously ordered, the parties have agreed to settle the matter. The terms of the proposed SA are set forth in the proposed Resolution submitted herewith under separate cover. The SA will resolve the case and essential terms of the SA are:

1. The City of Detroit will pay Three Hundred Thirty-Five Thousand Ninety-Three Dollars and 13/100 (\$335,093.13) to the Detroit Police Officers Association, which represents previously ordered attorney fees of One Hundred Fifty Thousand and No/100 (\$150,000.00) in case number 22-09666-CZ and fees occurred in the instant matter of One Hundred Fifty Thousand and No/100 (\$150,000.00).
2. The instant resolution will resolve the Michigan Employee Relations Commission case number 22-B-0358-CW currently before the Michigan Court of Appeals; and Case number 22-009666-CZ currently before the Michigan Court of Appeals.
3. The City of Detroit, through its health care consultant, will provide the Detroit Police Officers Association with de-identified healthcare data for the employees of the City of Detroit on a monthly basis, for the course of seven (7) years.
4. The Court will retain jurisdiction to enforce the terms of the SA.
5. Subject only to the terms of the SA, all claims in the case are dismissed.
6. The SA will resolve the last pending claim and closes the case.

SETTLEMENT RECOMMENDED: \$335,093.13

RISK MANAGEMENT MEASURES: None.