



LAW DEPARTMENT

Coleman A. Young Municipal Center
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November 21, 2022

HONORABLE CITY COUNCIL

RE: DONALD RUDD vs CITY OF DETROIT
DEPARTMENT OF TRANSPORTATION
FILE 14670 (PSB)

On November 15, 2022, your Honorable Body authorized settlement of the wage loss portion of the lawsuit of Donald Rudd vs City of Detroit, Department of Transportation; File # 14670 (PSB), in the amount \$55,000.00. That payment did not address Medicare's interest (pursuant to 42 U.S.C. Sec. 1395, et seq. and rules promulgated thereunder) and the medical part of Donald Rudd's workers compensation claim was not resolved.

The Center for Medicare and Medicaid Services ("CMS") has approved a Workers Compensation Medical Set-Aside ("WCMSA") in the amount of \$7,829.00 to adequately address Medicare's interests.

We, therefore, request authorization to settle the medical part of this matter for the amount of **SEVEN THOUSAND EIGHT HUNDRED AND TWENTY-NINE DOLLARS (\$7,829.00)**; and that your Honorable Body authorize and direct the Finance Director to issue drafts totaling that amount payable to Donald Rudd, to be delivered upon receipt of properly executed releases and order of dismissal in Workers Compensation Claim #14670, approved by the Law Department.

Respectfully submitted,
/s/ Phillip Brown
Phillip S. Brown,
Senior Assistant Corporation Counsel

PSB/gs

Attachment(s)

cc: Budget Department

APPROVED: November 28, 2022

By: */s/ Charles N. Raimi*

CHARLES N. RAIMI
Deputy Corporation Counsel

RESOLUTION

BY COUNCILMEMBER: _____

RESOLVED, that payment of Medicare's interest in the above matter be and hereby is authorized in the amount of **SEVEN THOUSAND EIGHT HUNDRED AND TWENTY-NINE DOLLARS (\$7,829.00)**; and be it further

RESOLVED, that the Finance Director be and is authorized and directed to draw a warrant upon the proper fund in favor of Donald Rudd to fund his Medicare Set-Aside, thereby covering the Workers Compensation Set-Aside Arrangement approved by the Center for Medicare and Medicaid Services and that said amounts be paid upon presentation by the Law Department of a redemption order approved by the Workers Compensation Department of the State of Michigan.

APPROVED: November 28, 2022

By: */s/ Charles N. Raimi*

CHARLES N. RAIMI
Deputy Corporation Counsel