



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

March 28, 2023

HONORABLE CITY COUNCIL

RE: Five Star Comfort Care, LLC (Gerald Smith) v City of Detroit
Case No: 22-001665-NF
File No: L22-00254(SVD)

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 **FIFTEEN THOUSAND DOLLARS AND NO/CENTS (\$15,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **FIFTEEN THOUSAND DOLLARS AND NO/CENTS (\$15,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **FIVE STAR COMFORT CARE LLC** and **THEIR** attorney, **VESTA LAW, PLLC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 22-001665-NF, approved by the Law Department.

Respectfully submitted,

Sarah V. Domin

Sarah V. Domin
Senior Assistant Corporation Counsel

APPROVED:
CONRAD MALLET
Corporation Counsel

BY: /s/ Yuvonne R. Bradley
Yuvonne R. Bradley
Supervising Assistant 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 **FIFTEEN THOUSAND DOLLARS AND ^{NO}/CENTS (\$15,000.00)**; 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 **FIVE STAR COMFORT CARE LLC** and **THEIR** attorney, **VESTA LAW, PLLC**, in the amount of **FIFTEEN THOUSAND DOLLARS AND ^{NO}/CENTS (\$15,000.00)** in full payment for any and all claims which Five Star Comfort Care LLC may have against the City of Detroit and any other City of Detroit employees by reason of treatment provided to Gerald Smith for alleged injuries sustained on or about 07/01/2021, and otherwise set forth in Case No.22-001665-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.22-001665-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
CONRAD MALLETT
Corporation Counsel

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

Approved by City Council: _____

Approved by the Mayor: _____