



LAW DEPARTMENT

Coleman A. Young Municipal Center
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May 11, 2023

HONORABLE CITY COUNCIL

RE: Five Star Comfort Care, LLC (Tobius Drake) v City of Detroit

Case No: 22-001761-NF

File No: L22-00316(PP)

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 **ELEVEN THOUSAND DOLLARS AND NO/CENTS (\$11,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **ELEVEN THOUSAND DOLLARS AND NO/CENTS (\$11,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **FIVE STAR COMFORT CARE LLC** and **ITS** attorney, **VESTA LAW, PLLC**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 22-001761-NF, approved by the Law Department.

Respectfully submitted,

Patricia Porter

Patricia Porter

Assistant Corporation Counsel

APPROVED:

CONRAD MALLETT

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 **ELEVEN THOUSAND DOLLARS AND NO/CENTS (\$11,000.00)**; 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 **ITS** attorney, **VESTA LAW, PLLC**, in the amount of **ELEVEN THOUSAND DOLLARS AND NO/CENTS (\$11,000.00)** 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 alleged injuries sustained on or about 07/01/2021, and otherwise set forth in Case No.22-001761-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.22-001761-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: _____