



**Request for City Council Committee Action  
From the City Attorney's Office**

Date: July 23, 2014  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** *Austin and Hoffman vs. City of Minneapolis, et al.*  
United States District Court File No.: 13-cv-00407 PJS/SER

**Recommendation:** That the City Council approve the settlement of this case by payment of \$60,000.00 payable to Ashanti P. Austin and \$20,000.00 payable to Mark N. Hoffman, and \$66,107.50, representing attorneys fees and costs, payable to the law office of Jordan M. Kushner, for the total amount of \$146,107.50 from Fund/Org. 6900 150 1500 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Directives:**

Prepared by: C. Lynne Fundingsland Phone: (612) 673-3339

Approved by:

*[Signature]*  
Susan L. Segal  
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

**Financial Impact (Check those that apply)**

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: \_\_\_\_\_ Action is within the plan. \_\_\_\_\_ Action requires a change to plan.
- Other financial impact (Explain): Fund/Org. 6900 150 1500 145400
- Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact**

Neighborhood Notification  
City Goal(s):

**Background/Supporting Information**

This case involves allegations of violations of the Constitutional rights of both Plaintiffs by Minneapolis Police Officers on September 4, 2012. On May 23, 2014, the Office of the Minneapolis City Attorney, in a closed session with the Minneapolis City Council, sought and received authority to make an offer of judgment to Plaintiff Austin in the amount of \$60,000.00 and to Plaintiff Hoffman in the amount of \$20,000.00, plus attorneys fees and costs. Both these offers of judgment were accepted by the Plaintiffs. The attorneys fees and costs payable to Plaintiffs' attorney is \$66,107.50, for a total settlement of \$146,107.50.