



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

Date: April 23, 2015  
To: Ways & Means/Budget Committee  
Referral to:

**Subject:** Daniel L. Fancher v. Sokhom Klann,  
United States District Court File No.: 13-cv-435 (DSD/JJK)

**Recommendation:** That the City Council approve satisfaction of the judgment entered against Officer Klann in the amount of \$27,655.69 and approve the payment of the attorneys' fees and costs awarded to Mr. Fancher's attorneys in the amount of \$243,520.83. That the City Council do so by authorizing payment of \$271,176.52 to Daniel L. Fancher and his attorneys from Fund/Org. 06900 1500100 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate satisfaction of the judgment and payment of the fees and costs awarded.

**Previous Directives:**

Prepared by: Sarah McLaren Phone: 612-673-2183

Approved by:

*feb*  
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. 06900 1500100 145400  
 Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact**

**Background/Supporting Information**

Plaintiff Daniel Fancher alleges that he was injured in June 2012 when he was arrested by Officer Sokhom Klann. A jury trial was held, and Mr. Fancher was awarded \$27,640 in damages on his excessive force claim. With post-judgment interest in the amount of \$15.69, the amount owed to Mr. Fancher totals \$27,655.69. Mr. Fancher is entitled to an award of attorney's fees and costs as the prevailing party. Mr. Fancher's attorneys asked the Court to award them \$373,102.22 in fees and costs. The City opposed this request. The Court reduced Mr. Fancher's attorneys' request by \$129,581.39 and awarded them \$243,520.83 in fees and costs. The City Attorney's Office recommends approval of payment of this judgment.