

## Request for Committee Action

**To:** Ways & Means  
**Date:** 4/11/2016  
**From:** City Attorney's Office  
**Prepared by:** Assistant City Attorney Sara J. Lathrop  
**Presented by:** City Attorney Susan Segal  
**File type:** Action  
**Subcategory:** Settlement

---

**Subject:**

Legal Settlement - Hector Acevedo v. Tyrone Barze Jr.

**Description:**

Approving the settlement of the lawsuit Hector Acevedo v. Tyrone Barze Jr. (Court File No. 15-cv-4348) by payment of \$62,500 to Hector Acevedo and his attorneys, Gaskins Bennett Birrell Schupp LLP, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Actions:**

None.

---

**Ward/Neighborhood/Address:**

Ward 3  
Marcy Holmes  
700 15<sup>th</sup> Avenue SE

**Background/Analysis:**

On July 13, 2014, MPD officers saw a couple arguing on the sidewalk. The officers stopped to investigate. Eventually four additional people approached and after a time, the Defendant officer used force on Plaintiff. Plaintiff claims that the force was unreasonable and that he suffered injuries. Defendant has denied all liability. The City Attorney's Office has negotiated a tentative resolution of this lawsuit for \$62,500, including attorney's fees. The MPD and City Attorney's Office believes that the proposed settlement is in the best interests of the City and recommend approval by this Committee and the City Council.

**Financial Review:**

No additional appropriation required, amount included in current budget.