



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

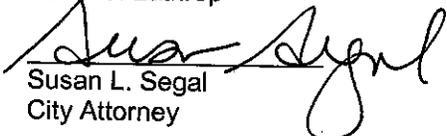
Date: April 21, 2011
To: Ways & Means/Budget Committee
Referral to:

Subject: **Thomas Lyons v. Monica Boelter, Lance Faust, Christopher Guelcher, and City of Minneapolis**
United States District Court File 10-CV-3871 (ADM/JJK)

Recommendation: That the City Council approve the settlement of this case by payment of \$9,000 to Thomas Lyons and his attorneys from Fund/Org. 06900 1500100 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

Previous Directives: None.

Prepared by: Sara J. Lathrop Phone: (612) 673-2072

Approved by: 
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): Payment from Fund/Org. 06900 1500100-145400
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Build Community

Background/Supporting Information

Mr. Lyons sued the City and the officers under Section 1983 for false arrest and excessive force, and under state law for intentional and negligent infliction of emotional distress, state law false imprisonment, assault, and battery. Mr. Lyons claims he was subjected to unnecessary force and was arrested without probable cause during incidents that occurred on May 23, 2010.

A settlement conference was held on April 21, 2011, attended by Council Member Sandra Colvin Roy, MPD Inspector Kris Arneson, the officers named as Defendants, and Assistant City Attorney Sara Lathrop. The parties were able to negotiate a tentative settlement of \$9,000, including all attorneys fees. We believe that the negotiated settlement is fair and reasonable and recommend approval by this Committee and the City Council.