



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

Date: April 21, 2010
To: Ways & Means/Budget Committee
Referral to:

Subject: *Rolando Demetrio Ruiz vs. City of Minneapolis*
United States District Court Civil File No. 09-CV-3461 (JNE/SRN)

Recommendation: That the City Council approve the settlement of this case by payment of \$75,000.00 payable to Rolando Ruiz and \$45,066.37 payable to his attorneys, Albert Goins and Ward Law Group, from Fund/Org. 06900 1500100 145400 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: James A. Moore Phone: (612) 673-2063

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): Fund/Org. 6900 1500100 145400
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

City Goal(s): A safe place to call home

Background/Supporting Information

This case involves the use of a taser on the Plaintiff by Officer Todd Lappegaard. The City Council previously authorized the City Attorney's Office to make an offer of judgment under Fed. R. Civ. P. Rule 68 in the amount of \$75,000.00 plus reasonable attorney's fees and costs incurred to the date of the offer on behalf of the City and Timothy Dolan. The City is not defending or indemnifying Officer Lappegaard. Plaintiff accepted the City's offer and has provided documentation of his attorney's fees to the City Attorney's Office. Plaintiff's original petition for fees was in the amount of \$48,890.12. The City Attorney's Office reviewed the fee request and negotiated certain items with Plaintiff's attorneys and reached an agreement that reasonable attorney's fees and costs total \$45,066.37. For the foregoing reasons the City Attorney's Office and the Minneapolis Police Department recommend settlement of the foregoing case by payment to Roland Demetrio Ruiz in the amount of \$75,000.00 and payment to his attorneys, Albert Goins and Ward Law Group in the amount of \$45,066.37.