



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

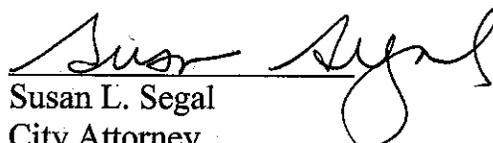
Date: March 18, 2011
To: Ways & Means/Budget Committee
Referral to:

Subject: Dominguez et. al. v. City of Minneapolis
Court File No. 27-CV-10-12860

Recommendation: That the City Council approve the settlement of this case by payment of \$16,000.00 payable to Cecilia Santos Dominguez and Jose Sabino Daniel Maldonado Montoya and their attorney, Sharifa Elaraj, Esq., 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: Franklin Reed Phone: (612) 673-3919

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.

X 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: Other

Background/Supporting Information:

The car operated by Mr. Montoya was traveling eastbound on E. 28th Street. As he and his passenger (Mrs. Dominguez) entered the intersection at 18th Ave. South, the car they were in was struck by an unmarked squad car that failed to stop at a stop sign. Both Plaintiffs claim they were severely injured in the accident. The Plaintiffs' total medical expenses exceeded \$15,000. Plaintiffs are seeking recovery in this action for wage loss, loss of future earning capacity, and medical expenses.

Discussions with counsel have resulted in a tentative agreement to settle Plaintiffs' claims for \$16,000.00. Under the settlement, each Plaintiff will receive \$8,000.00. This proposed settlement has been discussed with the Minneapolis Police Department and it is in agreement with the proposed terms. We believe that the settlement is in the best interests of the City and approval is recommended.

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