



DETROIT

**Water & Sewerage  
Department**

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**Office of General Counsel**

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**MEMORANDUM**

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To: The Honorable Board of Water Commissioners  
From: Rasul Raheem Esq., General Counsel  
Date: November 29, 2023  
Re: Metrics from the Office of the General Counsel – **November 2023**

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**HIGHLIGHTS**

- The OGC collected \$190,250.06 from long time delinquent commercial customers bringing the total amount collected in 2023 to \$2,963,032.03.
- The OGC won its Motion for Default Judgment against a commercial customer and was awarded a judgment in the amount of \$186,779.04.
- The OGC successfully defeated a commercial customer's Motion for Summary Disposition wherein the customer sought to have the case against them thrown out. The Court ruled against the customer and in favor of DWSD allowing DWSD to continue its pursuit to collect \$373,887.53 from the longtime delinquent customer.

**New Cases filed against DWSD:**

- i. ***Blewett v. DWSD*** - an employment case where the Plaintiff alleges discrimination and a hostile workplace environment while working for the department. DWSD is preparing to file a response to the complaint.
- ii. ***Cantrell v. DWSD*** – in this case, the Plaintiff alleges property damage by the City of Detroit and its contractors. DWSD is preparing to file a motion for summary disposition to dismiss the case.
- iii. ***Pirronello v. DWSD*** – in this case, the Plaintiff alleges that DWSD damaged his underground sprinkler system while performing work at the property next door. DWSD has requested a more definite statement.

## **Pending Cases that are being handled In-House:**

### **A. Collection**

- i. ***DWSD v. Herman Kiefer*** - this involves the collection of outstanding water, sewer and drainage charges. We are seeking to collect \$797,000.00. DWSD has filed a Motion for Summary Disposition on May 12, 2023. Case evaluation occurred on July 19, 2023, and the panel ruled in DWSD's favor and recommended an award of \$600,000.00. The Defendant responded to our motion and filed its own motions. The Court decided to reschedule the hearing to hear all motions that have been filed. The motion hearing is set to be heard on December 7, 2023.
- ii. ***DWSD v. Jalal Jameel and Nawal Jameel*** – A collection case against Jalal Jameel for unpaid water, sewerage and/or drainage services. We are seeking to collect \$81,062.63. DWSD is currently in settlement discussions with the Defendant.
- iii. ***DWSD v. G F H Enterprises, Inc.*** - A collection case against G F H Enterprises, Inc. for unpaid drainage services. We are seeking to collect \$90,159.19. This matter is currently in the discovery process. DWSD has recently filed a Motion for Summary Disposition and it is currently set to be heard by the Court on January 11, 2024.
- iv. ***DWSD v. Wiggins Land Company, L.L.C. et al.*** - A collection case against Wiggins Land Company, L.L.C. for unpaid drainage services. We are seeking to collect \$148,660.17. This matter is currently in the discovery process.
- v. ***DWSD v. UC Palmer Park VI*** - A collection case against UC Palmer Park VI for unpaid water, sewerage and/or drainage services. We are seeking to collect \$482,725.61 DWSD filed a Motion for Default Judgment and won the motion hearing. The judge awarded DWSD a judgment of \$186,779.04.
- vi. ***DWSD v. Linwood Group, L.L.C.*** - A collection case against Linwood Group, L.L.C. for unpaid water, sewerage and/or drainage services. We are seeking to collect \$145,342.58. Due to Defendant's failure to respond to DWSD's complaint, a default was entered against the Defendant. The Defendant later contacted DWSD to discuss settlement.
- vii. ***DWSD v. Clairpointe of Victoria Park Homeowners Association*** - A collection case against Clairpointe of Victoria Park Homeowners Association for unpaid drainage services. We are seeking to collect \$117,184.28. This matter is currently in the discovery process.
- viii. ***DWSD v. GDL Holdings LLC*** - A collection case against GDL Holdings LLC for unpaid water, sewer, and drainage services. We are seeking to collect \$373,887.53. The Defendant has filed a Motion for Summary Disposition. DWSD responded to the motion and won at the motion hearing. This matter is now in settlement discussions.
- ix. ***DWSD v. Fifty Nine Hundred Commonwealth Corp*** – A collection case against Fifty Nine Hundred Commonwealth Corp for unpaid drainage services. We are seeking to collect \$100,812.54. DWSD has filed a Motion for Default Judgment in the amount of \$80,897.64 and is set to be heard Friday, December 15, 2023.

- x. ***DWSD v. Morgan Waterfront Homes Association*** - A collection case against Morgan Waterfront Homes Association for unpaid drainage services. We are seeking to collect \$157,907.46. This matter is currently in the discovery process.
- xi. ***DWSD v. Waste Management of Michigan Inc. et al.*** - A collection case against Waste Management of Michigan Inc. and Custom Ecology of Ohio, Inc. for unpaid water, sewer and drainage services. We are seeking to collect \$169,636.90. This case has been settled for the full amount owed to DWSD and will soon be dismissed.

B. Defense

- iv. ***Williams et al. v. City of Detroit, et al*** – This case involves allegations of gross negligence and wrongful death on the part of DWSD relating to a house fire. After DWSD won the Motion for Summary Disposition, the Plaintiff then appealed the decision in this case to the Court of Appeals. DWSD has filed a reply to the request for appeal. The Court of Appeals responded by denying the Plaintiff's Application to Appeal this case. It is likely this appeal will proceed at some point in the future.
- v. ***Simmons v. City of Detroit*** – in this case, the Plaintiff is alleging injuries resulting from a missing catch basin cover. This matter is currently in the discovery process. This matter will be involved in a Facilitation to assist in possibly settling the case.
- vi. ***Dalloul v. City of Detroit*** – in this case, the Plaintiff alleges injuries resulting from a motor vehicle accident. This matter is currently in the discovery process. This matter has been involved in a Facilitation to assist in possibly settling the case. A tentative settlement has been reached and will be brought before the Board.
- vii. ***ACLU v. City of Detroit et al*** – in this case, the Plaintiff is seeking to enjoin DWSD from resuming the use of service interruptions. We are awaiting a decision from Judge Hood.
- viii. ***Grand River Market, LLC v. DWSD*** – in this case, the Plaintiff currently has a tax lien against their property due to unpaid water bills and seeking a temporary restraining order to halt judicial foreclosure proceedings. This matter is currently in the discovery process.
- ix. ***Ameriparts Inc. v. City of Detroit*** – in this case, the Plaintiff is disputing its drainage charges. DWSD has filed an answer to the complaint and is currently in the discovery process.
- x. ***LaTisha Harris v. DWSD*** – in this case, the Plaintiff alleges that DWSD's sewer line had a blockage which resulted in raw sewage backing up into her basement. This matter is close to settlement and will soon be dismissed.
- xi. ***George Williams v. City of Detroit*** – in this case, the Plaintiff alleges injuries resulting from a motor vehicle accident. This matter is currently in the discovery process.
- xii. ***Ibraheem Jabril v. City of Detroit*** - in this case, the Plaintiff alleges injuries resulting from a motor vehicle accident. A tentative settlement has been reached in this matter.
- xiii. ***Collins v. DWSD*** – an employment case where the Plaintiff alleges discrimination and harassment while working for the department. This matter is currently in the discovery phase.

- xiv. ***Desheante Holloway v. City of Detroit*** – in this case, the Plaintiff alleges injuries resulting from a motor vehicle accident. DWSD has filed an answer to the complaint.
- xv. ***Olabi v. City of Detroit et al.*** - in this case, the Plaintiff alleges injuries resulting from a motor vehicle accident. DWSD has filed an answer to the complaint.
- xvi. ***Almeida v. City of Detroit*** – in this case, the Plaintiff alleges injuries resulting from a scooter accident. This matter is currently in discovery.

**Cases Resolved this Month:**

- i. ***DWSD v. Heritage Manor Nursing and Rehab*** - this involves the collection of outstanding water, sewer and drainage charges. We are seeking to collect \$198,000.00. DWSD filed a Motion for Summary Disposition against the Defendant. The Court ruled in favor of DWSD and the Judge ordered the Defendant to get into an installment plan to pay the outstanding debt.