

April 5, 2013

HONORABLE BOARD OF WATER COMMISSIONERS:

RE: *L. D'Agostini & Sons, Inc. v. City of Detroit*, Case No. 12-cv-10041-JCO-MKM,
currently pending on appeal to the United States Court of Appeals for the Sixth
Circuit, Case No. 12-2311

General Counsel has reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement through a mutual release of claims without payment is in the best interests of DWSD.

We, therefore, request authorization to settle this matter pursuant to the attached Mutual Settlement and Release Agreement in the above-referenced matter.

Respectfully submitted,

William M. Wolfson
General Counsel
DWSD