



Detroit Water and Sewerage Department

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Legislation Details (With Text)

File #: 18-0044 **Version:** 1 **Name:**
Type: Case Settlement, Other **Status:** Passed
In control: Office of the General Counsel
On agenda: 3/7/2018 **Final action:** 3/7/2018
Title: The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to enter into a Class Action Settlement Agreement in the matter of James Abbott, et al vs. City of Detroit, et al regarding Industrial Waste Control charges assessed between November 2014 and August 2017. This Agreement is intended to settle all of the claims of all members who join the Class in the above captioned matter; and also authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.
Indexes: Finance Committee

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/7/2018	1	Board of Water Commissioners	approved	Pass
3/7/2018	1	Finance Committee	approved	Pass

The Board of Water Commissioners for the City of Detroit, Water and Sewerage Department authorizes the Director to **enter into a Class Action Settlement Agreement in the matter of *James Abbott, et al vs. City of Detroit, et al* regarding Industrial Waste Control charges assessed between November 2014 and August 2017. This Agreement is intended to settle all of the claims of all members who join the Class in the above captioned matter;** and also authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

Agenda of March 7, 2018

Item No. 18-0044

Amount: \$300,000.00

TO: The Honorable
Board of Water Commissioners
City of Detroit, Michigan

FROM: Gary Brown, Director
Water and Sewerage Department

RE: Settlement of *James Abbott, et al v City of Detroit, et al*, United States District
Court Case No. 2-17-cv-10761-BAF-RSW

MOTION

Upon recommendation and opinion of Debra N. Pospiech, Esq., General Counsel, the Detroit Board of Water Commissioners (Board) **authorizes the Director to enter into a Class Action Settlement Agreement in the matter of *James Abbott, et al vs. City of Detroit, et al* in the amount of \$300,000.00 regarding Industrial Waste Control charges assessed between November 2014 and August 2017. This Agreement is intended**

to settle all claims of all members who join the Class in the above captioned matter and, authorizes the Director and General Counsel to take such other action as may be necessary to accomplish the intent of this vote.

BACKGROUND AND JUSTIFICATION

The Background and Justification for the Settlement Agreement are contained in a confidential, attorney-client privileged communication provided under separate cover and as discussed with the Board in Closed Session.

BUDGET IMPACT

To the extent there are expenses associated with this authorization, those expenses are within levels and programs authorized as a part of the DWSD's budget.