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

Date: December 27, 2012
To: Ways & Means/Budget Committee
Referral to:

Subject: *Wayne Darren Newton v. Officer Richard Walker*
United States District Court File No. 11-CV-1499 (PJS/JJG)

Recommendation: That the City Council approve the settlement of all claims in this case by payment of $10,000 to Wayne Darren Newton and his attorney 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: Burt Osborne, Tracey Fussy & Sarah McLaren Phone: 612-673-3847

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): Fund/Org. 06900 1500100 145400
___ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

Background/Supporting Information

Plaintiff Wayne Darren Newton brought a civil action alleging that Defendant Minneapolis Police Department Officer Richard Walker used excessive force by use of a conducted energy device on the morning of July 5, 2010. These claims were expressly denied.

Assistant City Attorneys Burt Osborne, Tracey Fussy & Sarah McLaren entered into settlement discussions with Plaintiff's counsel Michael McReynolds, and reached a proposed settlement of all claims in the amount of $10,000.00, including all claims for damages, attorney's fees and costs. This Office has had discussions with Deputy Chief Travis Glampe, and he agrees that the proposed settlement is in the best interests of the City. We therefore recommend approval by this Committee and the City Council.