

# Federal judge dismisses wrongful death suit against Brooklyn Center officer

Peter Cox St. Paul, Minn. September 8, 2014 11:50 p.m.

A federal judge dismissed a wrongful death lawsuit Monday against a Brooklyn Center police officer.

Edmond Fair, 24, was shot by Officer Ryan Soliday during a traffic stop on Aug. 23, 2013. According to court documents, the shooting occurred after a motel security guard asked Soliday and his partner, Officer Katie Deering, to help evict unruly motel guests.

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U.S. District Court Judge David Doty ruled that Soliday was justified in using deadly force. Deering was not a defendant in the lawsuit.

When the two officers later saw the driver of a minivan rapidly leave the motel parking lot, they pulled him over for an improper signal. Fair, of Fridley, was driving the van.

According to the documents, Fair began to get increasingly agitated after the officers stopped him, telling them he had petty warrants and didn't want to go back to jail. As the two officers tried to handcuff him, there was a struggle and Soliday's partner used a Taser on Fair. But he continued to fight officers, grabbed a Taser and shocked them both.

Soliday shot Fair, telling authorities later that he saw Fair reach for his partner's gun. Fair died from his injuries.

In his order filed Monday, Doty wrote "the record establishes Soliday's use of deadly force was

reasonable and lacking malice, and no reasonable fact-finder could conclude otherwise."

Soliday's attorney, Jon Iverson, said the case was clear.

"These are tragic situations and no one feels good about the outcome of someone dying," Iverson said. "But the conduct that precipitated it was in their control and the officers have to respond to that."

The suit claimed wrongful death and a violation of Fair's rights. The attorney who originally filed the lawsuit, J. Ashwin Madia, withdrew as counsel in July.

Fair's mother, Elizabeth, the plaintiff in the suit, could not be reached for comment.

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