

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: February 6, 2015

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The following is my report to the City Council on several issues in which our office has been engaged since the last Council meeting:

1. Owens-Brockway v City of Charlotte. As the Council is aware, the Michigan Supreme Court refused to consider the two appeals filed by Owens-Brockway. This brings to conclusion the lawsuit which was initially filed on January 14, 2011. There were never any federal issues involved in this case (this was strictly a state contract case) and there was, therefore, no recourse to filing any appeal before the United States Supreme Court.

I have been in touch with attorneys for Owens-Brockway. We are in the process of determining the interest that is also due on the judgment. I will keep the Council advised as it relates to the progress in securing payment of the amount due under the judgment, plus interest and costs as were awarded by the trial court.

2. Rockafellow v City of Charlotte. Amy Gilson's deposition was completed on Monday, January 26, 2015. While it had been planned that both Michelle King and Gregg Guetschow's depositions were to be taken that day, neither were started. We are in the process of obtaining new dates for those depositions.

TMH:ddy