

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: February 20, 2015

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. On February 25, 2015, Owens-Brockway will wire transfer to the City of Charlotte, in complete payment of the judgment awarded by the Circuit Court, the amount of \$4,419,432.04. I reached agreement with the attorney for Owens-Brockway as to the interest that Owens-Brockway was obligated to pay, and we were able to resolve all issues regarding payment and the like without any necessity of proceeding through the Circuit Court, which had jurisdiction once the Michigan Supreme Court refused to consider the case. Once it is confirmed that the money has been received, I will be filing a Satisfaction of Judgment and, with that, this matter will be closed.

2. Rockafellow v City of Charlotte. Michelle King's deposition will be taken on February 26, 2015, at the City Hall in the City of Flushing. Gregg Guetschow's deposition is presently scheduled for March 9, 2015, at the offices of Foster, Swift, Collins & Smith in Lansing.

3. Contract Review. I reviewed the engineering services proposal submitted by Rowe Engineering for the 2015 street paving project of Beech Street.

TMH:ddy