



City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Legislation Text

File #: 17-1585, **Version:** 1

Resolution Approving Settlement of Resource Recovery Systems, LLC and FCR, LLC v. City of Ann Arbor, Eastern District of Michigan Case No. 16-cv-12771

Prepared by: Abigail Elias, Chief Assistant City Attorney

Approved by: Stephen K. Postema, City Attorney

RESOLVED, That the City settle the case entitled Resource Recovery Systems, LLC and FCR, LLC v. City of Ann Arbor, Eastern District of Michigan Case No. 16-cv-12771, as follows, and as set out in more detail in the Settlement Agreement and Release negotiated between the parties.:

- 1) Plaintiffs dismiss and release with prejudice all claims, including all the claims they brought or could have brought against the City in the lawsuit;
- 2) The City release with prejudice all claims, including the claims it submitted against the surety bond for the contract, and all the claims they brought or could have brought against the Plaintiffs in the lawsuit;
- 3) The City's rights to indemnification and to coverage as a third party insured under the contract for claims arising under the contract remain in effect;

RESOLVED, That the City Attorney be authorized to take any steps necessary to finalize this settlement and obtain dismissal of the lawsuit.