

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUTH HARLIN, Personal
Representative of the Estate of
EDDIE JOE LLOYD, Deceased and TIA TERESE GLENN,

Plaintiffs,

v

CITY OF DETROIT, ET AL.,
Defendants.

Case No. 04 70922

U.S. District Judge: Hon. Gerald E. Rosen

U.S. Magistrate Judge: Hon. Steven D. Pepe

David A. Robinson (P38754)
Attorney for Plaintiff
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Attorneys for Defendant Wayne County
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PLAINTIFF'S MOTION FOR AUTHORITY
TO SETTLE CLAIM AND DISTRIBUTE PROCEEDS

Plaintiff, RUTH HARLIN, pursuant to MSA Sec. 27A.2922; MCL Sec. 600.2922, moves

the court to enter its order approving a proposed settlement, authorizing distribution of net proceeds and approving counsel fees and expenses, based upon the following grounds:

1. Plaintiff is the Personal Representatives of the Estate of Eddie Joe Lloyd who died September 22, 2004, without experiencing conscious pain and suffering. All funeral and burial expenses have been paid.

2. On March 4, 2004 Plaintiff filed the above lawsuit against Defendants City of Detroit, et al., the County of Wayne, et al., and the Detroit Psychiatric Institute, et al. Plaintiff and Defendants have now negotiated a proposed settlement which involves Defendant County of Wayne's payment to Plaintiff the sum of \$225,000.00; Defendant Detroit Psychiatric Institute's payment to Plaintiff the sum of \$600,000.00 payable from the State; and the City of Detroit's payment to Plaintiff, the sum of \$3,250,000.00 in exchange for a stipulated orders dismissing the above action with prejudice.

3. Plaintiff and her attorneys believe that the proposed settlement is fair, reasonable, and in the best interest of Decedent's Estate.

4. At the time of Decedent's death, parties interested in her estate as heirs at law were and are as follows:

- (a) Ruth Harlin, Sister;
- (b) Tia Glenn, Daughter;
- (c) Nona Dennard, Daughter;
- (d) Ruby Reeves, Sister deceased
- (e) William Lloyd, Brother

5. The Personal Representative of the estate proposes the distributive shares of the

settlement after deducting attorney fees and expenses incurred in prosecuting this action as follows:

(a)	Ruth Harlin, Sister;	\$ 200,000.00
(b)	Tia Glenn, Daughter;	\$1,196,066.24
(c)	Nona Dennard, Daughter;	\$1,142,066.24
(d)	Ruby Reeves, Sister deceased	\$-0-
(e)	William Lloyd, Brother	\$100,000.00
_____		TOTAL: \$2,638,132.48

6. Plaintiff retained the Law Firms of David A. Robinson and Associates, P.C. and Cochran Neufeld and Scheck, LLP to prosecute the above action and agreed to compensate said attorneys on a contingent fee basis and to reimburse said attorney for all costs advanced. Costs advanced in the prosecution of this action total \$95,301.27 and attorney fees calculated on the proposed settlement total \$1,326,566.24. Plaintiff believes that said costs and fees are reasonable and were necessary for the prosecution of this action.

WHEREFORE, Plaintiff requests that the court enter its order as follows:

- (a) Approving the proposed settlement of \$225,000.00 from the County of Wayne; \$600,000.00 from the Detroit Psychiatric Institute (State of Michigan) and \$3,250,000.00 from the City of Detroit;
- (b) Authorizing distribution of the net settlement proceeds as described in paragraph 5 of this motion;
- (c) Authorizing Plaintiff to compensate his attorneys, David A. Robinson and

Associates, P.C. and Cochrane, Neufield and Sheck, in the amount of \$1,326,566.24 and to reimburse advanced costs in the amount of \$95,301.27; and

- (d) Authorizing Plaintiffs to sign all documents necessary to effectuate the settlement, including a stipulated order of dismissal and a release agreement.
- (e) Authorizing that from the settlement proceeds the Personal Representative, pursuant to MCLA 700.3804 and MCLA 700.3806, pay Claimant of the Estate, Herb Strather, reimbursement in the amount of \$7,500.00 for a loan extended to the deceased before his death made on or about August 5, 2004 and that she be allowed to set aside administration fees for the Estate due and owing to attorney Howard Linden in the amount of \$7,500.00.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge and belief.

Respectfully Submitted,

/s/David A. Robinson

Attorney for Plaintiff
28145 Greenfield Rd., Ste. 100
Southfield, MI 48076
(248) 423-7234
darjd@earthlink.net
(P38754)

Dated: April 27, 2006

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**BRIEF IN SUPPORT OF PLAINTIFF'S MOTION FOR AUTHORITY TO
SETTLE CLAIM AND DISTRIBUTE PROCEEDS**

Plaintiff counsel relies on the provisions of the Federal Rules Of Civil Procedures and the discretion of this Honorable Court.

Respectfully Submitted,

/s/David A. Robinson

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CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: John P. Quinn, Attorney for Defendants; Margaret A. Nelson, Attorney for Defendants; James A. Surowiec, Attorney for Defendants, and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants: Nick Brustin, Attorney for Plaintiffs.

Respectfully Submitted,

/s/David A. Robinson

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