

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clifford L. Johnson,

Case No. 19-cv-00115 (DSD/BRT)

Plaintiff,

v.

**PLAINTIFF'S NOTICE OF
ACCEPTANCE OF DEFENDANTS'
RULE 68 OFFER OF JUDGMENT**

City of Minneapolis; and Officer
Kevin Franek and Officer Brian
Cummings, in their individual and
official capacities,
Defendants.

Notice is hereby given that Plaintiff accepts Defendants' attached Rule 68 Offer of Judgment. Plaintiff respectfully requests that the Court, pursuant to Defendants' Rule 68 Offer of Judgment and Fed. R. Civ. P. 68(a), enter judgment in favor of Plaintiff and against all Defendants, in the amount of \$10,000.00.

Dated: March 25, 2019

THE LAW OFFICE OF
ZORISLAV R. LEYDERMAN
By

s/ Zorislav R. Leyderman
Zorislav R. Leyderman (#0391286)
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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Clifford L. Johnson,

Plaintiff,

Case Type: Civil Other/Misc.
Case No. 19:cv-115 (DSD/BRT)

v.

RULE 68 OFFER OF JUDGMENT

City of Minneapolis; and Officer Kevin
Franek and Officer Brian Cummings,
in their individual and official
capacities,

Defendants.

TO: Plaintiff above-named and his attorney, Zorislav R. Leyderman, 222
South Ninth Street, Suite 1600, Minneapolis, MN 55402.

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant City of Minneapolis and Defendant Officers Kevin Franek and Brian Cummings, hereby offer to allow Plaintiff to take judgment against Defendant City of Minneapolis, and Defendant Officers Kevin Franek and Brian Cummings, jointly, on all claims made or which could have been in Plaintiff's Complaint, in the amount of \$10,000.00, plus reasonable attorney's fees and costs incurred by Plaintiff prior to the date of this offer; that is, with the costs then accrued. The costs and attorney's fees will be in an amount to be set by the court.

This offer of judgment is in no way or manner to be construed as an admission on the part of any Defendant, or of the validity of this case or of the liability of any Defendant, which validity and liability Defendants expressly deny.

The decision to make this offer is a calculated business decision based on litigation risks and costs. As such, Defendant City of Minneapolis and Defendant Officers Kevin Franek and Brian Cummings vigorously deny all liability, all wrongdoing, and the validity of all of Plaintiff's claims, and, further, Defendant City of Minneapolis maintains that none of its employees engaged in any wrongdoing during the incident described in the Complaint.

Dated: March 8, 2019

SUSAN L. SEGAL
City Attorney
By

/s/ Heather Robertson
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