



## Legislation Details (With Text)

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**Title:** Closed Session Request - Trial and Settlement Strategy

**Sponsors:** Randal Brown

**Indexes:** General Counsel

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/25/2022	1	Board of Directors	Approved	Pass

### Closed Session Request - Trial and Settlement Strategy

Agenda of: May 25, 2022

Item No.: **2022-195**

Amount: N/A

**TO:** The Honorable  
Board of Directors  
Great Lakes Water Authority

**FROM:** Randal M. Brown  
General Counsel

**DATE:** May 20, 2022

**RE: Closed Session Request -Trial and Settlement Strategy**

#### MOTION

Upon recommendation and opinion of Randal M. Brown, General Counsel, the Board of Directors for the Great Lakes Water Authority (GLWA):

- 1) Agrees to meet with legal counsel, in closed session, pursuant to Section 8(e) of the Michigan Open Meetings Act to discuss pending litigation in the matter of GLWA v Highland Park; and
- 2) Notes that an affirmative roll call vote of 2/3 of the Board Members appointed and serving is required for approval of this Motion; and
- 3) Authorizes the Interim Chief Executive Officer to take such other action as may be necessary to accomplish the intent of this vote.

**JUSTIFICATION**

A meeting in closed session is requested to discuss the above referenced matter. Section 8(e) of the Michigan Open Meetings Act, MCL 15.268(e) allows a public body to meet in closed session: "To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body."

**BUDGET IMPACT**

This request for a Closed Session meeting does not impact the GLWA's budget.

**COMMITTEE REVIEW**

This matter is being presented directly to the Board of Directors.

**SHARED SERVICES IMPACT**

This request for a Closed Session meeting does not impact the Shared Services Agreement.