

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Anthony Michael Clark, Jr.,

Case No. 10-CV-4131 (MJD/JSM)

Plaintiff,

v.

**SETTLEMENT AGREEMENT
& RELEASE**

Officers Justin M. Miller, Daniel
Ficcadenti, Matthew Gorans and Josh
Lynaugh, in their official and
individual capacities as peace officers
of the St. Paul Police Department,

Defendants.

This settlement agreement and release is entered into by and between Anthony Michael Clark, Jr. (hereinafter "Plaintiff"); and the City of St. Paul and is contingent upon the approval of the St. Paul City Council.

WHEREAS Plaintiff filed a civil complaint in this matter alleging that St. Paul Police Officers violated Plaintiff's constitutional rights during the course of his arrest on September 26, 2010.

WHEREAS the City of St. Paul denies the allegations and asserts that all of the officers' actions were lawful.

WHEREAS the parties to this agreement have conciliated the issues in dispute and desire now to settle all of the Plaintiff's claims against the City of St. Paul and its police officers to obtain a full, final and complete settlement and compromise of all

claims arising out of Plaintiff's encounter with St. Paul Police Officers on September 26, 2010.

NOW THEREFORE, in consideration of the mutual promises set forth herein and contingent upon the approval of the St. Paul City Council, the parties agree as follows:

1. Within a reasonable time subsequent to receiving a fully-executed copy of this Settlement Agreement and Release and the Stipulation for Dismissal of Claims Against the City attached hereto, the City of St. Paul will deliver to Plaintiff's attorney a check in the amount of \$249,000 in complete satisfaction for all damages, costs and attorney's fees. The check will be payable to Anthony Michael Clark, Jr. and his attorney Paul Applebaum.

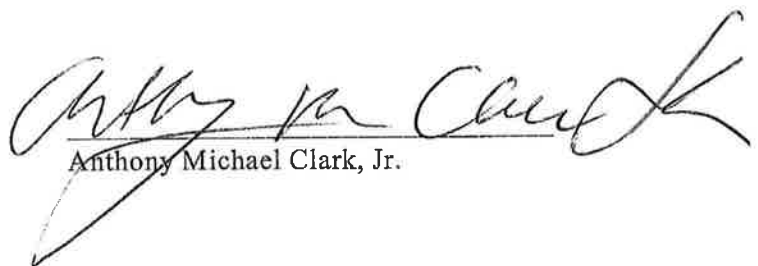
2. In consideration of the above payment, Plaintiff, by execution of this Settlement Agreement and Release, hereby fully and completely releases the City of St. Paul, and all of the past and present agents, officers and employees, predecessors, and successors in interest of the City of St. Paul in their official and individual capacities, of any and all claims for damages, costs and attorneys fees which Plaintiff has or may have, whether presently known or unknown, arising in law or in equity, which were made, or which could have been made, in the above-entitled action. Plaintiff agrees that upon the approval of the St. Paul City Council and execution of this Settlement Agreement and Release all such claims, differences, demands, rights, and causes of action, which

Plaintiff now has or may have against the City of St. Paul and all of the past and present agents, officers, and employees, predecessors, and successors, and successors in interest of the City of St. Paul, in their official and individual capacities, whether currently known or unknown, arising in law or equity, which were made or which could have been made in the above-entitled action, are fully released, satisfied, discharged and settled. This means that Plaintiff releases the City of St. Paul and all employees of the City of St. Paul from any and all claims for damages, costs and attorneys fees, known or unknown, that were or could have been brought in relation to the set of facts presented in the above-entitled action.

3. In consideration of the above payment, Plaintiff further agrees that Plaintiff, his agents, his attorneys and other persons speaking or working on Plaintiff's behalf, will not make any representations or characterizations regarding the officers involved in this matter.

4. The parties to this Settlement Agreement and Release hereby stipulate that the payment of the sum specified above includes any claim for attorney's fees and costs pursuant to 42 U.S.C. § 1988.

Dated: 4-10-12.


Anthony Michael Clark, Jr.

Subscribed and sworn to before
me this 10th day of April, 2012.



Notary Public

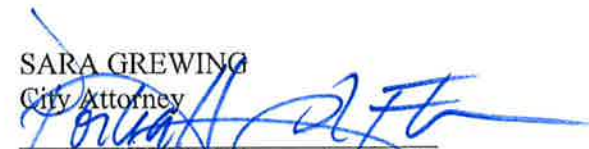


Dated: April 16, 2012



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Attorneys for Plaintiff

Dated: April 10th, 2012

By: 

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