

SETTLEMENT AGREEMENT AND RELEASE

Plaintiff Ross Berke, being of lawful age, for the sole consideration of \$75,000, does hereby and for his heirs, executors, administrators, successors and assigns, releases, acquits and forever discharges Officers Jonathan Gliske, Chris Kasal and Tom Menton, both individually and in their official capacities of police officers for the City of St. Paul, the City of St. Paul and their agents servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all claims, actions, causes of actions, demands, rights, damages, costs, loss of services, attorneys' fees, expenses and compensation whatsoever which the undersigned now has or which he may hereafter accrue on account of or in any way growing out of any and all known and unknown, foreseen and unforeseen bodily and personal injuries and property damages and the consequences thereof resulting or to result from the incident which occurred on March 8, 2013, as referenced in Plaintiff's Complaint. This agreement however specifically does not affect in any way the associated case pending in Ramsey County District Court, Court File No. 62-CV-13-6947.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim and that the payment made is not to be construed as an admission of liability on the part of the parties hereby released and that said releasees deny liability therefore and intend merely to avoid litigation and buy their peace.

The undersigned hereby declares and represents that the injuries sustained by him are or may be permanent and progressive and that recovery therefrom is uncertain and indefinite and in making this release it is understood and agreed that the undersigned

relies wholly upon the undersigned's judgment, belief and knowledge of the nature, extent, effect and duration of said injuries and liability therefore and is made without reliance upon any statement or representation of the parties hereby released or their representatives.

The undersigned further declares and represents that no promise, inducement or agreement not expressed herein has been made to him and that this release contains the entire agreement between the parties hereto and that the terms of this release are contractual and not a mere recital.

The undersigned agrees that he will be responsible for obtaining a complete discharge of any and all existing or potential liens filed in regard to injuries he received as a result of the March 8, 2013 incident and further agrees that he will satisfy from the proceeds of settlement all liens that have been made or may be made in the future regarding said incident.

The undersigned agrees to amend his Complaint by Stipulation to Dismiss Defendants Officers Jonathan Gliske, Chris Kasal and Tom Menton with prejudice and to substitute as sole Defendant the City of St. Paul. The undersigned has read the foregoing release and understands it.

Dated: 4/23/15


Ross Berke

Subscribed and sworn to before me
this 23rd day of April, 2015


Notary Public

