

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 88-2406-CIV-MORENO

MICHAEL POTTINGER, PETER
CARTER AND BERRY YOUNG,

Plaintiffs,

vs.

CITY OF MIAMI,

Defendant.

JOINT MOTION TO APPROVE SETTLEMENT

Plaintiffs, MICHAEL POTTINGER, PETER CARTER AND BERRY YOUNG, and Defendant, CITY OF MIAMI (“City”), by and through undersigned counsel, hereby move this Honorable Court to approve settlement of the issues raised by the Motion to Modify Settlement [DE 464] and in support state as follows:

1. This Honorable Court encouraged the parties at the hearing on October 23, 2013, to mediate and attempt to resolve the Motion to Modify Settlement Agreement [DE 508]. The Court followed with an Order requiring mediation and appointing as the mediator the Honorable Angel Cortiñas [DE 516].

2. On December 4, 2013, and December 11, 2013, the parties conducted two lengthy mediations for approximately 23 hours. The parties mediated in good faith with the able services of the Honorable Angel Cortiñas.

3. On December 11, 2013, the parties reached an addendum to Settlement Agreement which resolves all the pending issues and was executed by counsel and the mediator. See attached Addendum to Settlement Agreement.

4. The parties respectfully submit that the Addendum serves the best interests of the parties and the community.

5. The parties ask this Honorable Court to cancel the evidentiary hearings and adopt the settlement.

WHEREFORE, the parties jointly request this Honorable Court to adopt the settlement.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on the 12th day of December, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record on the Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: s/Thomas E. Scott
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