

ORDINANCE NO. _____

ORDINANCE AUTHORIZING APPROVAL AND EXECUTION OF THE CLASS ACTION SETTLEMENT AGREEMENT IN MUSA, ET AL. v. CITY OF JOLIET, WILL COUNTY CASE 22 LA 334 CONSOLIDATED WITH 22 CH 196

WHEREAS, Plaintiffs Yahya Musa, Iuri Culev, Richard Bagley, Vasam Tharamalingham, and Maciej Gasienica Sobczak filed a putative class action lawsuit against the City of Joliet in the Circuit Court of the Twelfth Judicial Circuit, Will County, Illinois, captioned Musa et al. v. City of Joliet, Case No. 22 LA 334, consolidated with Culev et al. v. City of Joliet, Case No. 22 CH 196; and

WHEREAS, Plaintiffs alleged that the City improperly utilized its administrative adjudication system to adjudicate certain overweight and overlength vehicle citations, sought declaratory relief, and sought reimbursement of fines, penalties, and associated costs; and

WHEREAS, the City denies Plaintiffs' allegations, denies liability, and denies wrongdoing, and the Settlement Agreement provides that neither the Settlement Agreement nor proceedings in connection with it shall be construed as evidence of an admission or concession by the City of liability or wrongdoing; and

WHEREAS, after arm's-length settlement negotiations, including pretrial-conference assistance by Judge Lynch, the Parties reached a proposed Class Action Settlement Agreement and Release (the "Settlement Agreement") providing a stated total settlement value of \$2,039,786.79, consisting of a cash component of \$1,711,472.73 and cancellation of covered outstanding debt valued at \$328,314.06, with the cash component to be administered and distributed in accordance with the Settlement Agreement; and

WHEREAS, the Settlement Agreement further provides for (1) certification of the Settlement Class for settlement purposes only; (2) notice to Class Members; (3) pro rata payments to eligible Class Members; (4) service awards of up to \$5,000 for each Class Representative; (5) court-approved attorneys' fees of up to 33% of the Net Settlement Fund, plus costs of up to \$10,000; (6) dismissal of the claims asserted in the Lawsuit with prejudice upon entry of the Final Approval Order; and (7) releases that become effective in accordance with the terms of the Settlement Agreement; and

WHEREAS, the City Council finds that approving the Settlement Agreement is in the best interests of the City of Joliet to avoid the uncertainty, burden, cost, and risk of continued litigation; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, as follows:

SECTION 1: The City Council hereby approves the Class Action Settlement Agreement and Release in Musa et al. v. City of Joliet, Case No. 22 LA 334, consolidated with Culev et al. v. City of Joliet, Case No. 22 CH 196, substantially in the form attached hereto as Exhibit A, together with such nonmaterial revisions as the Corporation Counsel determines are necessary or advisable to effectuate the settlement; provided, however, **that no revision may materially**

increase the City's financial obligations, materially expand the Settlement Class, materially narrow the releases provided to the City, or materially alter the Settlement Agreement's no-admission provision without further approval of the City Council.

SECTION 2: The City Manager, or the City Manager's designee, is authorized and directed to execute the Settlement Agreement and such administrative, fiscal, and other non-litigation documents as are necessary to perform the City's obligations under the Settlement Agreement.

SECTION 3: The Corporation Counsel, or the Corporation Counsel's designee, is authorized and directed to execute and file all pleadings, motions, proposed orders, and other court documents; to appear on behalf of the City in all proceedings concerning preliminary and final approval of the settlement; and to take such additional legal action as is reasonably necessary to implement and enforce the Settlement Agreement.

SECTION 4: The appropriate City officers and employees are authorized and directed to make the payments, cancel the covered outstanding debt, provide the information required for class notice and administration, and perform the other obligations imposed upon the City by the Settlement Agreement, subject to the direction of the City Manager and Corporation Counsel.

SECTION 5: This Ordinance shall become effective immediately upon its passage and approval as provided by law.

PASSED this _____ day of _____, 2026.

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____