

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jaleel Kevin Stallings,

Case No. 21-CV-2395 (ADM/TNL)

Plaintiff,

v.

**PLAINTIFF'S NOTICE OF
ACCEPTANCE OF DEFENDANTS'
OFFER OF JUDGMENT**

Andrew Bittell, et al.,

Defendants.

Pursuant to Rule 68(a) of the Federal Rules of Civil Procedure, Plaintiff Jaleel Kevin Stallings, through undersigned counsel, hereby accepts and provides notice that he has accepted Defendants' Offer of Judgment to Plaintiff dated March 30, 2022, attached hereto as Exhibit A.

Dated: April 12, 2022

**LAW OFFICE OF ERIC A. RICE,
LLC**

By: *s/Eric Rice*

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ATTORNEY FOR PLAINTIFF

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jaleel Kevin Stallings,

Court File No. 21-cv-02395 (ADM/TNL)

Plaintiff,

v.

RULE 68 OFFER OF JUDGMENT

Andrew Bittell, acting in his individual capacity as a Minneapolis Police Officer; Michael Osbeck, Jr., acting in his individual capacity as a Minneapolis Police Officer; Christopher Cushenbery, acting in his individual capacity as a Minneapolis Police Officer; Justin Stetson, acting in his individual capacity as a Minneapolis Police Officer; Kristopher Dauble, acting in his individual capacity as a Minneapolis Police Officer; Nathan Sundberg, acting in his individual capacity as a Minneapolis Police Officer; Matthew Severance, acting in his individual capacity as a Minneapolis Police Officer; Christopher Lokke, acting in his individual capacity as a Minneapolis Police Officer; Ronald Stenerson, acting in his individual capacity as a Minneapolis Police Officer; James Jensen, acting in his individual capacity as a Minneapolis Police Officer; Michael Heyer, acting in his individual capacity as a Minneapolis Police Officer; Johnny Mercil, acting in his individual capacity as a Minneapolis Police Officer; Bruce Folkens, acting in his individual capacity as a Minneapolis Police Officer; John Does 1-5, acting in their individual capacities as Minneapolis Police Officers; and the City of Minneapolis,

Defendants.

TO: Plaintiff Jaleel Kevin Stallings and his attorney Eric A. Rice, 1 W. Water Street, Suite 275, St. Paul, MN 55107, eric@ricedefense.com

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants City of Minneapolis, Andrew Bittell, Michael Osbeck, Jr., Christopher Cushenbery, Justin Stetson, Kristopher Dauble, Nathan Sundberg, Matthew Severance, Christopher Lokke, Ronald Stenerson, James Jensen, Michael Heyer, Johnny Mercil, and Bruce Folkens (collectively “Defendants”) hereby offer to allow Plaintiff Jaleel Kevin Stallings to take judgment against Defendants on all claims made or which could have been made in Plaintiff’s Complaint, in the amount of \$1.5 million (\$1,500,000.00) plus reasonable attorneys’ fees and costs incurred by Plaintiff prior to the date of this offer; that is, with the costs then accrued. The attorneys’ fees and costs will be in an amount to be set by the Court.

Acceptance of this offer of judgment against Defendants will be full satisfaction of all federal and state law claims or rights that Plaintiff may have to damages, or any other form of relief, and extinguish any claim or claims by Plaintiff against Defendants and their agents and employees, including the John Doe Defendants, that were brought or could have been brought in Plaintiff’s Complaint. By accepting this offer of judgment, Plaintiff agrees that the existing claims against the unserved John Doe Defendants, who are agents or employees of the Defendant City of Minneapolis, will be dismissed with prejudice.

This offer of judgment is not to be construed as an admission that the Defendants or their agents and employees are liable in this action or that Plaintiff has suffered any

damages. Defendants expressly deny the validity of Plaintiff's claims and expressly deny any liability. This offer is contingent on acceptance by Plaintiff in accordance with Rule 68 of the Federal Rules of Civil Procedure.

Dated: March 30, 2022

JAMES R. ROWADER, JR.

City Attorney

By */s/ Kristin Sarff*

KRISTIN R. SARFF (0388003)

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Attorneys for Defendants

CERTIFICATE OF SERVICE BY EMAIL

Jaleel Kevin Stallings v. Andrew Bittell, et al.

Case No. 21-CV-2395 (ADM/TNL)

I hereby certify that on April 12, 2022, I caused a copy of the following:

**Plaintiff's Notice of Acceptance of
Defendants' Offer of Judgment**

to be sent by email to the following recipients:

Kristin Sarff, kristin.sarff@minneapolismn.gov
Sharda Enslin, sharda.enslin@minneapolismn.gov
Heather Robertson, Heather.Robertson@minneapolismn.gov
Minneapolis City Attorney's Office
Attorneys for the Defendants

Service was conducted in a manner consented to in writing by the parties. Ms. Sarff confirmed receipt of service on April 12, 2022.

Dated: May 17, 2022

**LAW OFFICE OF ERIC A. RICE,
LLC**

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ATTORNEY FOR PLAINTIFF