

M Management Committee

For the Metropolitan Council meeting of September 16, 2009

ADVISORY INFORMATION

Date:	September 3, 2009
Subject:	Settlement of Litigation: <i>MOAC Land Holdings, LLC v. Metropolitan Airport Commission and the Metropolitan Council</i>
District(s), Member(s):	All
Policy/Legal Reference:	
Staff Prepared/Presented:	Peter A. Hanf, Associate General Counsel, 651-602-1749
Division/Department:	Office of General Counsel

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to settle the matter entitled *MOAC Land Holdings, LLC v. Metropolitan Airport Commission and the Metropolitan Council* on terms consistent with the discussion that occurred during the closed portion of the Management Committee meeting and to authorize the Regional Administrator and the Metropolitan Council's attorneys to take all actions necessary or appropriate to finalize a settlement of the above-entitled matter.

Summary of Discussion:

Associate General Counsel Peter Hanf and outside counsel Matt Boos presented the proposed settlement terms to the Management Committee and recommended settlement of the above-referenced litigation.

M Management Committee

Business Item
Item: 2009-323

Meeting date: September 9, 2009

ADVISORY INFORMATION

Date:	September 3, 2009
Subject:	Settlement of Litigation: <i>MOAC Land Holdings, LLC v. Metropolitan Airport Commission and the Metropolitan Council</i>
District(s), Member(s):	All
Policy/Legal Reference:	
Staff Prepared/Presented:	Peter A. Hanf, Associate General Counsel, 651-602-1749
Division/Department:	Office of General Counsel

Proposed Action

That the Metropolitan Council approve resolution of the *MOAC Land Holdings, LLC v. Metropolitan Airports Commission and the Metropolitan Council* litigation.

Overview

In June 2007, Met Council found itself caught in the middle of a contract dispute between the Metropolitan Airports Commission and the Mall of America over the purchase price of property adjacent to the Mall. This litigation was commenced in January 2007; however, Met Council was added as a defendant when MOAC amended its complaint on June 29, 2007.

Though a mediation process a proposed settlement has been reached.

Staff will present a summary of the recommended settlement at the meeting.