

Exhibit C

May 13, 2008, Resolution Censuring and
Condemning the Conduct of Mayor

**RESOLUTION BY THE DETROIT CITY COUNCIL
TO CENSURE MAYOR KWAME M. KILPATRICK**

WHEREAS, The Michigan Constitution requires all public officers to take an oath to faithfully discharge the duties of their respective offices; and

WHEREAS, Accordingly, on January 1, 2002, Kwame Malik Kilpatrick took the Oath of Office as the Mayor of the City of Detroit pursuant to Section 2-103 of the Detroit City Charter as follows:

“I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this state, and that I will faithfully discharge the duties of office to the best of my ability;” and

WHEREAS It is implicit in the Oath of Office that there the Mayor provide accurate, honest and complete information to the City Council when he is obligated by the Charter to do so, so as to assure that settlements are in the best interests of the City of Detroit, as distinguished from the personal interests of an elected official of the City of Detroit, i.e. Mayor Kwame M. Kilpatrick; and

WHEREAS, Mayor Kwame M. Kilpatrick has failed in his obligations, has violated the trust of the citizens of Detroit, violated provisions of the Detroit City Charter, and dishonored the office which the citizens entrusted to him through the following actions:

- 1.) Immediately after the \$6.5 million *Brown/Nelthrope* verdict, the Mayor stridently proclaimed that there would definitely be an appeal and no settlement;
- 2.) When plaintiff’s attorney Michael Stefani disclosed that he had possession of the text messages at the court-ordered, post-trial facilitation, implicating the Mayor in potentially criminal behavior, the Mayor immediately settled the case (and the related *Harris* case) for well over the amount of the full verdict, and for between 80% and 85% of the *full* value of the case, an unprecedented, and hasty, payment after a verdict;
- 3.) The Mayor never would have settled the case without Attorney Stefani’s threat to disclose the text messages, as the text messages strongly implied that the Mayor and his former Chief of Staff had engaged in criminal behavior and other egregious conduct;

- 4.) The Mayor required that, as a major part of the settlement, that both the existence and contents of the text messages were to be turned over to the Mayor and to be kept, as was memorialized in a “confidentiality agreement;”
- 5.) The Mayor entered into the confidentiality agreement to protect himself, personally, and his former Chief of Staff and Christine Beatty, personally, and that the confidentiality agreement had nothing to do with protecting the interests of the City of Detroit;
- 6.) The Mayor required that the terms of the confidentiality agreement, as well as its existence, were to be kept secret from the Detroit City Council, while at the same time the Mayor sought formal consent to the monetary terms of the settlement agreement, from City Council;
- 7.) The Mayor, acting through his lawyers and the City’s lawyers manipulated the City Council to consent to the settlement by deliberately withholding from Council critical information, i.e. the confidentiality agreement and the reasons why it came into existence, through an elaborate scheme of documents;
- 8.) The Mayor settled multi-million dollar litigation against the City without the informed consent – and therefore, without the authentic consent – of the Detroit City Council, thereby violating Section 6-403 of the City Charter;
- 9.) The Mayor used his public office for private gain, in violation of Section 2-106 of the Charter;

NOW, THEREFORE, BE IT

RESOLVED, The above acts constitute official misconduct by Mayor Kwame M. Kilpatrick, and his conduct has brought upon himself, and fully deserves, the censure and condemnation of the citizens of the City of Detroit; and **BE IT FINALLY**

RESOLVED, The Detroit City Council, on behalf of the citizens of Detroit, hereby censures and publicly condemns Mayor Kwame M. Kilpatrick for his conduct as set forth herein.