

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Donald Peterson,

File No.: 0:21-cv-02012-WMW-LIB

Plaintiff,

v.

**DEFENDANTS OFFICER TODD
SHERMER AND OFFICER
ELIJAH ANDERSON'S RULE 68
OFFER OF JUDGMENT**

Officer Todd Shermer and Officer Elijah
Anderson, in their individual capacities,

Defendants.

Defendants Officer Todd Shermer and Officer Elijah Anderson (“Defendants”) make the following offer of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure:

1. Judgment may be entered against Defendant Shermer as to Counts 1 and 3 in the operative Amended Complaint in the amount of \$25,000.00, inclusive of all costs and attorney’s fees.
2. This offer is contingent on the separate dismissal, with prejudice, of Defendant Anderson as to all Counts.
3. This offer is also contingent on the approval of the Duluth City Council.

This Offer of Judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed either as an admission that Defendants are liable in this action or that Plaintiff has suffered any damages.

Dated: October 13, 2022

REBECCA ST. GEORGE, City Attorney

and

s/Elizabeth Sellers Tabor

ELIZABETH SELLERS TABOR (#0395652)

Assistant City Attorney

etabor@duluthmn.gov

411 West First Street, Rm. 440

Duluth, MN 55802

Telephone: 218-730-5281

Attorneys for Defendants