

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DARRYL CAIN,

Case No. 2:13-cv-10525

Plaintiff,

Sean F. Cox

v.

United States District Judge

FRANK CARROLL and CITY OF
DETROIT,

Patricia T. Morris

United States Magistrate Judge

Defendants.

ORDER FOR PLAINTIFF’S COUNSEL TO PRODUCE

Before the Court is Plaintiff’s motion to enforce a settlement agreement. (ECF No. 163). Plaintiff does not raise any issues concerning the settlement he reached with Defendants, but instead objects to his attorney keeping a portion of the agreed upon sum as attorney fees. (*Id.* at PageID.1380–81). Plaintiff says that he did not agree to pay attorney fees and it appears that Plaintiff did not know fees would be deducted until he received a check for a reduced sum. (*Id.*).

The Court appointed Ronnie E. Cromer, Jr. of the Cromer Law Group, PLLC as pro bono counsel for Plaintiff on May 24, 2023. (ECF No. 100). Plaintiff alleges that he “did not agree” to any amount of attorney fees being deducted from his settlement award (ECF No. 163, PageID.1380–81), and the settlement agreement that was memorialized in a proposed stipulation and order of dismissal contains no provision regarding attorney fees (ECF No. 165-4). Further, no attorney fee

agreement between Plaintiff and the Cromer Law Group or Ronnie Cromer, Jr. has been submitted to the Court nor has any mention of the existence of any such agreement been made. The record similarly fails to show that any court determination of appropriate or reasonable attorney fees was made under 42 U.S.C. § 1988(b).

In order to resolve this issue, the Court needs and hereby ORDERS Plaintiff's counsel, Ronnie E. Cromer, Jr., to PRODUCE **either**: (1) any and all attorney fee agreements relevant to the instant case, **or** (2) an affidavit attesting that no attorney fee agreement exists relevant to the instant case. Plaintiff's counsel should electronically file the required document(s) as an exhibit to Plaintiff's motion to enforce a settlement agreement on or before **October 8, 2024**.

IT IS SO ORDERED.

Date: September 26, 2024

S/PATRICIA T. MORRIS
Patricia T. Morris
United States Magistrate Judge