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Interoffice Communication

DATE: April 26, 2012

TO: Ms. Marina Dimitrijevic, Chairwoman
Milwaukee County Board of Supervisors

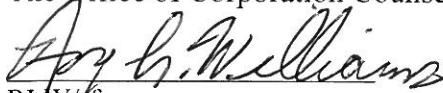
FROM: Roy L. Williams, Principal Assistant Corporation Counsel

SUBJECT: State of Wisconsin *ex rel.* Joseph A. Rice
v. Milwaukee County Board
Case No. 11-CV-009399

This case involves an action filed by Supervisor Joseph Rice. Supervisor Rice alleged a violation of the Open Meetings Law. Specifically, Supervisor Rice alleged a violation of Wis. Stat. §19.84(2) and 19.84(3) because on April 21, 2011 the Milwaukee County Board had a meeting which he alleged was not properly noticed. The notice stated the date, time and place, but it did not explain that the redistricting plan would be on the agenda. Nevertheless, the meeting proceeded and the redistricting plan was adopted.

This lawsuit was filed on June 27, 2011. On August 5, 2011 the plaintiff filed a motion for summary judgment. On September 1, 2011 the defendants filed a reply brief. On November 21, 2011 Judge Jane Carroll issued a decision in which she ordered that a judgment be entered against Chairman Lee Holloway in the amount of \$300 and against the Milwaukee County Board of Supervisors in the amount of \$300 for forfeitures under Wis. Stat. §19.96. Further, she ordered that attorney's fees and costs be paid. The total amount for the fees and costs is \$6,921.80. Wisconsin Mutual Insurance Company will pay the attorney's fees and costs. Milwaukee County must pay the forfeitures.

The Office of Corporation Counsel recommends the payment of the fees and forfeitures.


RLW/af

cc: Linda Durham
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