

**INTEROFFICE COMMUNICATION
OFFICE OF CORPORATION COUNSEL**

DATE: March 16, 2017

TO: Theodore Lipscomb Sr., Chairman, County Board of Supervisors

FROM: Colleen A. Foley, Deputy Corporation Counsel

SUBJECT: Contract amendment for Husch Blackwell relating
To *Lloyd Johnson v. Milwaukee County, et al.*

It is requested that this matter be referred to the Committee on Finance and Audit for review of a contract amendment.

In November, 2014, the County entered into a contract with Whyte Hirschboeck Dudek SC (now known as Husch Blackwell) and Emile Banks and Associates LLC to represent the County and County-related Defendants in *Lloyd Johnson v. Milwaukee County, et al*, Case No. 14-C-01408, pending in the US District Court for the Eastern District of Wisconsin, in consultation with, and in a co-counsel role with, the Office of Corporation Counsel.

This case relates to injuries that the Plaintiff inflicted on himself while a patient at the Mental Health hospital. The litigation in this case has been, and continues to be, extremely large and complex.

The contract to represent the County has been amended several times during the litigation. The current amendment request of \$150,000 should cover existing bills and summary judgment briefing and filing. Dependent on the court's summary judgment ruling, an appeal will likely be requested. Costs for an appeal are approximated at \$22,000; costs for a trial are approximated at \$125,000.

Attorney fees are requested from the special reserve fund established for BHD litigation.

c: Raisa Koltun, Kelly Bablitch, Erica Hayden, Janelle Jensen