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(ITEM) From Corporation Counsel, recommending payment in the amount of \$30,000 to Tanya Weyker and payment of attorneys' fees in an amount to be determined by the court in settlement of Tanya Weyker v. Quiles, et al., Eastern District Case No. 14-CV-782, by recommending adoption of the following:

A RESOLUTION

WHEREAS, on February 20, 2013, Tanya Weyker was traveling southbound on South Howell Avenue at the intersection with East Joseph Hutsteiner Drive, Milwaukee, Wisconsin, when she was in a motor vehicle collision with a squad car driven by a deputy sheriff; and

WHEREAS, the Milwaukee County Board of Supervisors adopted File No. 14-642 authorizing a settlement of Ms. Weyker's claims for bodily injuries arising out of the negligent operation of the squad car by the deputy sheriff; and

WHEREAS, Ms. Weyker filed suit in federal court alleging federal civil rights claims related to her alleged treatment by the Sheriff and his employees, including allegations of a false arrest for Operating While Intoxicated and abuse of process, policies, and practices on the part of the Sheriff's Office to conspire to violate citizens' rights, all of which allegations the Sheriff's Office denies; and

WHEREAS, the trial is scheduled for July 20, 2015; and

WHEREAS, during preliminary pre-trial litigation, Ms. Weyker changed the attorneys who are representing her; and

WHEREAS, the Wisconsin County Mutual Insurance Corporation, counsel from Whyte, Hirschboeck, and Dudek S.C. who were retained by the County's insurer to defend the suit, and the Office of Corporation Counsel decided to attempt an early resolution of the case in order to avoid a potential exposure to an increasing claim of attorneys' fees and to pay Ms. Weyker an amount less than the costs of defense through trial; and

WHEREAS, the parties reached an agreement to settle all claims by Ms. Weyker, except for attorneys' fees, for a payment of \$30,000 to her and to resolve her claim for attorneys' fees by submitting the issue to the court and agreeing to be bound by the court's determination of the appropriate amount of attorneys' fees; and

WHEREAS, Ms. Weyker has requested from the court a total of approximately \$75,000 in fees and costs for her past and present attorneys, an amount which is disputed by the County defendants; and

46 WHEREAS, all settlement payments will be made by the Wisconsin County
47 Mutual Insurance Corporation; now, therefore,

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49 BE IT RESOLVED, Milwaukee County authorizes a settlement of Ms. Weyker's
50 claims with a payment by the Wisconsin County Mutual Insurance Corporation of
51 \$30,000 to Ms. Weyker and a payment by the Wisconsin County Mutual Insurance
52 Corporation to Ms. Weyker's attorneys for fees and costs in an amount to be
53 determined by the court, in return for a full release of all claims by Ms. Weyker arising
54 out of or related to the accident or her arrest and a dismissal of the pending suit.

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