

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: June 28, 2016

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

FROM: Colleen Foley, Interim Corporation Counsel

SUBJECT: *Jennifer Lang v. Milwaukee County*
E.D.WI Case No. 15-CV-1004

I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. I request authority to settle the claims of plaintiff Jennifer Lang ("Ms. Lang") for the total sum of \$210,000.00, which will be paid by the Wisconsin County Mutual Insurance Corporation. Please note that Ms. Lang's attorney's fees and costs are included in this \$210,000.00 total amount.

This is a civil rights liability claim brought against Milwaukee County alleging that Ms. Lang was subjected to sexual discrimination, harassment, and assaults by her supervisor Rodney Maybin and that Milwaukee County and then BHD Administrator condoned those actions by a failure to properly remedy them when reported in August 2011 and thereafter in December 2012. Ms. Lang initiated this matter with a notice of claim and proceeded to file a federal court lawsuit on August 20, 2015.

Milwaukee County contests Ms. Lang's claims. Those claims hinge upon: 1) that the alleged sexual harassment/assaults actually occurred as alleged and 2) that she reported the full extent of the harassment in August 2011 and that the County failed to take appropriate steps to remedy and stop the alleged harassment. Mr. Maybin denies the allegations. Milwaukee County contends it took appropriate steps to prevent and stop the alleged actions based on what was reported to it in August 2011 and December 2012.

This proposed settlement resulted from a mediation before a federal court Magistrate Judge on June 17, 2016. The settlement provides that the Wisconsin County Mutual Insurance Corporation will pay Ms. Lang and her attorneys \$210,000.00. In return, Ms. Lang will not pursue her lawsuit further and will provide the County with a full and complete release from any liability. The payment will be applied to the County's deductible with the County Mutual.

Corporation Counsel and the Wisconsin County Mutual recommend this settlement for approval.