

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: November 18, 2013

TO: Theo Lipscomb, Chair, Committee on Judiciary, Safety and General Services

FROM: Paul Bargren, Corporation Counsel *PB*
Mark A. Grady, Deputy Corporation Counsel *MAG*

SUBJECT: File No. 13-587; Appeal of decision related to the change in the pension multiplier from 2.0% to 1.6% per year
Stoker et al. v. Milwaukee County et al., Case No. 11-CV-16550

Our office previously submitted a resolution to authorize the filing of a petition for review with the Wisconsin Supreme Court in the above case, in the event of an adverse ruling by the Court of Appeals. That resolution was laid over to the call of the chair at the Committee meeting on July 12, 2013. The Court of Appeals has now issued its decision, adverse to the County's adopted policy. A petition for review must be filed no later than December 14, 2013. Section 1.28 of the ordinances provides for County Board and County Executive approval of such a filing.

Attached is a **substitute resolution**. The substitute resolution is changed merely to account for the fact that the Court of Appeals decision has now been received.

The legal fees for outside counsel to handle the petition are covered by the County's insurance policy.

Our office and outside counsel continue to recommend the filing of a petition for review.

Attachment

cc(w/att.): Kelly Bablitch
Amber Moreen
Jessica Janz-McKnight
Alexis Gassenhuber
Scott Manske