

**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 *Brandon Johnson et al. v. Milwaukee County et al.*

It is requested that this matter be referred to the Committee on Finance and Audit for passive review of a contract amendment. Pursuant to §59.52(31)(b)(1), Wis. Stats., the County Executive has signed (or will sign) a contract amendment, authorizing an additional sum of \$150,000 for a total contract sum of \$227,000, and the amendment will take effect unless the Committee takes action to reject or affirm it within 14 days, by March 31, 2017.¹

In August, 2015, 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 *Brandon Johnson, et al. v. Milwaukee County, et al*, Case No. 16-C-1043, 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 Brandon Johnson's death while a patient at BHD.

The contract to represent the County has been amended one time during the litigation to \$77,000. The current amendment of \$150,000 is expected to be sufficient to ensure payment of current invoices and negotiations between the parties.

These funds will be encumbered from the funds provided in the 2017 BHD Reserve Fund.

c: Raisa Koltun, Kelly Bablitch, Erica Hayden, Shanin Brown

¹ To allow 14 days for the Committee to complete its passive review at its April 13, 2017 meeting, a fully signed contract amendment will be submitted March 30 or later.