

**MILWAUKEE COUNTY OFFICE  
OF CORPORATION COUNSEL**

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**INTEROFFICE COMMUNICATION**

**DATE:** November 24, 2025

**TO:** Marcelia Nicholson-Bovell, Chairwoman, Milwaukee County Board of Supervisors

**FROM:** Scott F. Brown, Corporation Counsel, Office of Corporation Counsel  
Melinda S. Lawrence, Deputy Corporation Counsel, Office of Corporation Counsel

**SUBJECT:** From Corporation Counsel, the Milwaukee County Office of Corporation Counsel, requesting authorization to select and engage outside counsel on a contingency fee basis to initiate lawsuits against companies that engaged in practices which resulted in environmental contamination, such as degradation of the soil and waters of Milwaukee County by perfluoroalkyl and polyfluoroalkyl (PFAS) substances, as well as those companies that engage in practices that which contribute to climate change and cause Milwaukee County residents to suffer the effects of climate change.

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**REQUEST**

The Office of Corporation Counsel (OCC) requests authorization to select and engage outside counsel on a contingency fee basis to initiate lawsuits against companies that engaged in practices which resulted in environmental contamination, such as degradation of the soil and waters of Milwaukee County by perfluoroalkyl and polyfluoroalkyl (PFAS) substances, as well as those companies that engage in practices that which contribute to climate change and cause Milwaukee County residents to suffer the effects of climate change.

**POLICY**

It is the duty of the OCC to prosecute all civil actions and to advise the Board in all civil matters in which the County is interested. Wis. Stat. §§ 59.42(2)(b)1 & 2. The OCC brings this matter before the Board for consideration because the County has suffered known environmental degradation that impairs the health of the community and diminishes use and enjoyment of the environment for County residents and is known to be difficult and costly to remediate or mitigate. Further, it is the position of Milwaukee County that known bad actors who cause environmental degradation should be held accountable to the people of Milwaukee County whenever possible. It has been brought to the attention of the OCC that there are pending lawsuits aimed at holding known sources of environmental degradation accountable, which Milwaukee County is eligible to join. While the County will not need to expend any funds to join or pursue the litigation, as the

matters are being pursued under contingent fee agreements, the County will be required to remit a portion of any award it receives as a result of the lawsuits to the firms that prosecute these claims on behalf of the County. Any contract with a potential aggregate value in excess of \$300,000 requires approval of the Board; therefore, the OCC is seeking Board approval to contract with law firms to pursue these claims on behalf of Milwaukee County. Wis. Stat. § 59.52(31)(c).

### **RECOMMENDATION**

It is recommended that the Milwaukee County Board of Supervisors authorize the Corporation Counsel, Office of Corporation Counsel to execute contingent fee agreements with selected outside counsel to commence lawsuits on behalf of the County, against any entity that engages in practices that contribute to the ongoing environmental contamination and degradation within or impacting Milwaukee County.

### **ALIGNMENT TO STRATEGIC PLAN**

This request aligns with Milwaukee County's goals 3A (Invest "upstream" to address root causes of health disparities), B (Enhance Milwaukee County's fiscal health and sustainability) and C (Dismantle barriers to diverse and inclusive communities). Reducing environmental degradation and contamination will improve livability in historically disenfranchised communities, making them more attractive for development and habitation. Additionally, reduction in environmental contaminants, which is known to occur in disadvantaged communities and communities of color, should improve health outcomes for County residents.

### **FISCAL EFFECT**

This request has no tax levy impact because initial funds required for the lawsuit will be borne by the selected firm and only collected in the event of an award in favor of the County.

### **TERMS**

The OCC requests authority to execute contingent fee agreements with selected law firms upon approval of the attached Resolution. OCC is not currently able to predict when the lawsuits will reach resolution but will provide the Board with regular updates as the litigation progresses.

### **VIRTUAL MEETING INVITES**

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### **PREPARED BY**

Melinda S. Lawrence, Deputy Corporation Counsel, Office of Corporation Counsel

### **APPROVED BY**

Scott F. Brown, Corporation Counsel, Office of Corporation Counsel

### **ATTACHMENTS:**

Fiscal Note

Resolution