

**INTEROFFICE COMMUNICATION  
COUNTY OF MILWAUKEE**

DATE: June 20, 2019

TO: Theodore Lipscomb, Sr., Chair, Milwaukee County Board of Supervisors  
Anthony Staskunas, Chair, Committee on Judiciary, Safety and General Services  
James Schmitt, Chair, Committee on Finance and Audit

FROM: Anne Berleman Kearney, Deputy Corporation Counsel *ABK*

SUBJECT: Claim and Litigation Settlement Informational Report

Pursuant to the Office of Corporation Counsel's June 7, 2018 Legal Opinion, the County has delegated settlement authority to WCMIC through its insurance contract. However, to ensure that the Board is fully aware of all such settlements, the Office of Corporation Counsel ("OCC") reports on a monthly basis all WCMIC-controlled litigation settlements and WCMIC-controlled claim resolutions that exceed \$500.00<sup>1</sup> for which information is presently available. In addition, when applicable, this report will include resolutions of legal disputes covered under other County insurance policies. In this report as well, Supervisors will find a listing of the resolution of legal claims where the County was a plaintiff, which do not require County Board approval under applicable statutes as well as legal claims that require the County Board's approval (with the corresponding file number) of any resolution. Further, settlement negotiations in other cases may be ongoing, but not yet reported here given the dynamic nature of litigation and settlement. The intent of this report is to ensure that Supervisors have a complete picture of all legal claim settlements or other resolutions, regardless of the Board's authority over those resolutions.

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<sup>1</sup> Pursuant to Milwaukee County Ordinance section 1.11(c)(4)2.(d) and Wis. Stat. section 59.52(12)(b), resolutions to litigation and claims resulting in payment of \$500 or less will be reported to the Board annually.

**1. WCMIC-Controlled Litigation Settlements**

<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Settlement Amount</u>	<u>Claim Year</u>	<u>Payor</u>
<i>Rebecca Terry v. Milwaukee County, et al.</i>  (delivery of baby while shackled)	E.D. Wis. 17-CV-1112	Leib Knott Gaynor	Section 1983 – Deliberate indifference; supervisory liability, failure to intervene; 14 <sup>th</sup> amendment due process violations; and state law <i>respondeat superior</i> claims against Armor in particular	\$200,000	2014	Milwaukee County
<i>Bobby Blain v. Milwaukee County</i>  (former employee)	ERD Case No. 201703247 and EEOC Case No. 26G2018000225	OCC	Allegations of discrimination based on age and race during employment and allegation of discharge on the basis of discrimination	\$500	2017	Milwaukee County

**2. WCMIC-Controlled Claim Resolutions**

<u>Claimant Name</u>	<u>Investigator</u>	<u>Type of Action</u>	<u>Settlement Amount</u>	<u>Claim Year</u>	<u>Payor</u>
Rochelle Scott	Ryan Anderson	Property Damage	\$7,274.98	2018	Milwaukee County
Grace Murphy	Ryan Anderson	Property Damage	\$1,033.02	2019	Milwaukee County
Lynda Priegel	Ryan Anderson	Property Damage	\$790.00	2019	Milwaukee County
Donna Landwehr	Ryan Anderson	Property Damage	\$1,549.62	2019	Milwaukee County
Andrew Sullivan	Ryan Anderson	Property Damage	\$2,500.00	2016	Milwaukee County
Lisa Thao	Ryan Anderson	Property Damage	\$3,287.60	2019	Milwaukee County
Enterprise	Ryan Anderson	Property Damage	\$22,515.46	2018	Milwaukee County
Ted Mazza	Ryan Anderson	Property Damage	\$2,103.30	2019	Milwaukee County

**3. Settlements Covered Under Other Insurance Policies**

None this cycle.

**4. Settlements Where County Is Plaintiff**

None this cycle.

**5. Settlements Pending Where County Board Approval Is Required (with corresponding File No.)**

None this cycle.