

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: November 18, 2013

TO: Marina Dimitrijevic, Chairwoman, County Board of Supervisors

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

SUBJECT: Denise McCaskill v. Milwaukee County
ERD Case No. 201300361
EEOC Charge No. 26G201300497C

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 this case for the total sum of \$24,000.00. Wisconsin County Mutual Insurance Corporation will pay the \$24,000.00 sum and apply it to Milwaukee County's deductible. The defense of this complaint has been handled by Attorney Oyvind Wistrom of Lindner & Marsack, through an assignment by the Mutual.

Ms. McCaskill has worked for the Employees Retirement System of Milwaukee County since 2005. She alleged in her complaint that on April 13, 2012, former Chairman Holloway sexually harassed her in his office while she was there to provide paperwork related to his retirement. Mr. Holloway denies any inappropriate actions. After an investigation, the Equal Rights Division found probable cause to believe that the law was violated and ordered that a hearing was required in order for an administrative law judge to determine credibility and potential violations. The parties were preparing to schedule discovery, including depositions, when settlement discussions began.

Ms. McCaskill cannot claim compensatory damages such as emotional distress in the state Equal Rights Division case. However, those damages can be claimed in a federal court action and such an action is threatened. Ms. McCaskill claims such damages, as well as medical expenses. The proposed settlement covers all damages and all forms of litigation that could arise out of this incident.

The proposed settlement provides that Ms. McCaskill will receive \$16,000.00 and her attorneys, Hawks Quindel S.C., will receive \$8,000.00, for a total of \$24,000.00. The Wisconsin County Mutual will make these payments and apply them to the County's deductible.

Memo to Marina Dimitrijevic

11/18/13

Page 2 of 2

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

cc: Kelly Bablitch
Amber Moreen
Alexis Gassenhuber
Jessica Janz-McKnight
Raisa Koltun