


17-317

**INTEROFFICE COMMUNICATION
OFFICE OF CORPORATION COUNSEL**

DATE: April 4, 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 signed 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 April 18, 2017.

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 cover on-going negotiations between the parties.

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

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