

**INTEROFFICE COMMUNICATION
OFFICE OF CORPORATION COUNSEL**

DATE: March 5, 2018

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 contract amendment. Pursuant to §59.52(31)(b)(1), Wis. Stats, the Office of Corporation Counsel will sign a contract amendment, authorizing an additional \$48,000 for a total contract sum of \$275,000. The amendment will take effect unless the Committee takes action to reject or affirm it within 14 days after the contract is signed or countersigned by the county executive.

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, 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 during the litigation to \$227,000. The current amendment of \$48,000 is expected to be sufficient to ensure payment of current invoices and cover final billing related to the settlement negotiations between the parties.

These funds will be encumbered from the funds provided in the 2018 BHD Special Litigation Reserve Fund.

c: Raisa Koltun, Kelly Bablitch, Erica Hayden, Janelle Jensen