

16-397

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: June 28, 2016

TO: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors

FROM: Colleen Foley, Interim Corporation Counsel

SUBJECT: *Alonzo Brown v. Milwaukee County
Notice of Claim Filed December 16, 2013*

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 the claims of Alonzo Brown ("Mr. Brown") for the total sum of \$5,000.00, which will be paid by Wisconsin County Mutual Insurance Corporation. Please note that Mr. Brown's attorney's fees and costs are included in this \$5,000.00 total amount.

This is a civil rights liability claim alleging Mr. Brown's inappropriate placement at the Milwaukee County Jail from April 30, 2013 through August 21, 2013. Besides his constitutional claim, Mr. Brown also states a claim for inappropriate treatment under Title II of the American with Disabilities Act (ADA). Mr. Brown initiated this matter with a notice of claim filed on December 16, 2013, but did not proceed with the filing of a federal court lawsuit due to this resolution.

Milwaukee County contests Mr. Brown's claims of inadequate medication, nutrition and hydration at the jail and that ingestion of Nutrilofax exacerbated those issues. The main issue at any trial would be the nature and extent of Mr. Brown's claimed injuries, in particular, whether and to what extent he decompensated at the jail.

This proposed settlement resulted from discussions between the parties' attorneys. The settlement provides that the Wisconsin County Mutual Insurance Corporation will pay Mr. Brown and his attorneys \$5,000.00. In return, Mr. Brown will not pursue his claim and will provide the County with a full and complete release from any liability. The payment will be applied to the County's deductible with the County Mutual.

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

cc: Kelly Bablitch
Shanin Brown
Erica Hayden
Raisa Koltun