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(ITEM ) From Corporation Counsel, recommending payment in the amount of \$24,000 to Rettko Law Offices, S.C., in return for settlement of all pending litigation, a satisfaction of the judgment and a release of all employment claims by the captains in *Goodlette & McKenzie v. Milwaukee County* and *Rewolinski v. Milwaukee County*, Case Nos. 12-CV-000079 and 12-CV-0000645, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, in December of 2011, the Sheriff appointed two new captains to vacant positions, but on December 30, 2011, was required by the 2012 Budget to lay off two captains; and

WHEREAS, the Sheriff laid off Captains Goodlette and McKenzie, who were not the recently appointed captains; and

WHEREAS, Captains Goodlette and McKenzie were ordered by the Court to be reinstated to employment pending a review of their layoffs by the Civil Service Commission; and

WHEREAS, the Sheriff laid off Captain Rewolinski, but a Court ordered that he be reinstated pending a review of his layoff by the Civil Service Commission; and

WHEREAS, the Civil Service Commission found that the Captains' layoffs were improper; and

WHEREAS, one Circuit Court ordered judgment against Milwaukee County in favor of Captains Goodlette and McKenzie for their attorneys' fees in the amount of \$10,833.23, but another Circuit Court denied an award of attorneys' fees to Captain Rewolinski; and

WHEREAS, for a little over one year, the Captains were given duties by the Sheriff similar to those of a correction officer while retaining the pay and rank of captain; and

WHEREAS, the Captains previously sought a writ of mandamus ordering the Sheriff to provide the Captains with "captain level" duties and the request for the writ remains pending; and

WHEREAS, the Captains have claimed that the Sheriff's actions were retaliatory and violated their civil rights, including their free speech rights; and

WHEREAS, the Captains and Milwaukee County have reached a proposed settlement wherein the Captains have agreed to accept the payment of \$24,000 in

44 attorneys' fees to their attorney, William Rettko, in return for a dismissal of all litigation, a  
45 satisfaction of the judgment and a release of all employment claims; and

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47 WHEREAS, the Office of Corporation Counsel recommends this settlement; now,  
48 therefore,

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50 BE IT RESOLVED, that Milwaukee County approves the payment of \$24,000 to  
51 Rettko Law Offices, S.C., in return for a dismissal of all pending litigation, a satisfaction of  
52 the judgment and a release of all employment claims by the Captains.

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