

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: February 25, 2015

TO: Anthony Staskunas, Chairman
Committee on Judiciary, Safety and General Services

Willie Johnson & Theodore Lipscomb Sr., Co-Chairmen
Committee on Finance, Personnel and Audit

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

SUBJECT: Status update on pending litigation

The following is a list of some of the significant pending cases that we believe may be of interest to the Committees. New information and additions to the list since the last committee meetings are noted in **bold**. However, our office is prepared to discuss any pending litigation or claim involving Milwaukee County, at your discretion.

1. *DC48 v. Milwaukee County* (Rule of 75)
Case No. 11-CV-16826 (motion for summary judgment hearing February 27, 2015)
2. Retiree Health Plan provisions
Rieder & MDSA v. Milwaukee County (MDSA retiree health care plan changes)
Case No. 12-CV-12978 (circuit court ruled in County's favor; MDSA filed appeal to Court of Appeals)
3. Medicare Part B premium reimbursement cases:
FNHP and AMCA v. Milwaukee County
Case No. 12-CV-1528 (Court of Appeals ruled in favor of County; **Wisconsin Supreme Court ruled in County's favor**)
DC48 et al.(Martel) v. Milwaukee County et al.
Case No. 12-CV-13612 (stayed pending outcome of case above)

4. 1.6% Pension Multiplier cases:

Stoker & FNHP v. Milwaukee County

Case No. 11-CV-16550 (**Wisconsin Supreme Court ruled in County's favor**)

AFSCME v. Milwaukee County

Case No. 12-CV-9911 (stayed pending *Stoker* and *FNHP* appeals)

Brillowski & Trades v. Milwaukee County

Case No. 12-CV-13343 (stayed pending *Stoker* and *FNHP* appeals)

5. Pension backdrop modification case:

FNHP, AMCA & AFSCME v. Milwaukee County and ERS

Case No. 13-CV-3134 (stayed to 5/12/15 pending *Stoker* and *FNHP* appeals)

6. Purchase of Pension Service Credit cases:

Angeles et al. v. Milwaukee County et al.

Case No. 14-CV-6674 (E.D. Wis. federal court)

Trapp et al. v Milwaukee County et al.

Case No. 15-CV-0019 (Milw. County Circuit Court; **stayed pending IRS approval of pension ordinance amendments**)

7. *Wosinski et al. v. Advance Cast Stone et al.* (O'Donnell Park)

Case No. 11-CV-1003 (Jury Verdict; appeal filed by ACS and Liberty)

8. *Christensen et al. v. Sullivan et al.* (jail population and health care)

Case No. 96-CV-1835

9. *Milwaukee Riverkeeper v. Milwaukee County* (Estabrook dam)

Case No. 11-CV-8784 (court found dam a nuisance and ordered repair or removal; trial July 2015)

10. *Midwest Development Corporation v. Milwaukee County* (Crystal Ridge)

Case No. 12-CV-11071

11. Froedtert Hospital petition to disturb burial sites – petition granted by State.

12. *Orlowski v. Milwaukee County* (2007 death of inmate in HOC)

Case No. 13-C-994 (E.D. Wis. federal court; trial November 2, 2015)

13. *Jane Doe v. Milwaukee County (sexual assault by CO in jail)*
Case No. 14-CV-200 (E.D. Wis. federal court; scheduling conference 2/3/15)
14. *AFSCME, DC48 v. Milwaukee County (laid off housekeepers)*
Case No. 14-C-340 (E.D. Wis. federal court)
15. *Physiogenix v. Milwaukee County, WE Energies et al (Research Park power)*
Case No. 14-CV-1780 (**final pre-trial conference February 16, 2016**)
16. *Estate of Steven Cole v. Milwaukee County (patient death at BHD)*
Case No. 14-CV-740 (E.D. Wis. federal court)
17. *Tanya Weyker v. Quiles et al (MVA; false arrest and cover-up claims)*
Case No. 14-CV-782 (E.D. Wis. federal court)
18. *Aikin v. Milwaukee County (sex and retaliation discrimination)*
ERD Case Nos. 2006-01096; 2011-04458 (hearing May 11, 2015)
19. *Johnson v. Milwaukee County et al. (patient care at BHD)*
14-CV-1408 (E.D. Wis. federal court)
20. *DC48 v. Milwaukee County & Armor (correctional healthcare employee layoffs)*
Case No. 2014-CV-10045(**voluntarily dismissed by DC48**)
21. *Milwaukee County and City v. Preserve Our Parks Inc. (Couture)*
Case No. 2014-AP-2957- OA (**Supreme Court declined petition**)
Case No. 15-CV-1536 (filed in circuit court)
22. *MDSA & Sheriff Clarke v. Milwaukee County (hiring deputies)*
Case No. 15-CV-786