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(ITEM) From Corporation Counsel, recommending payment in the amount of \$15,000 to Robert S. Schmidt and his attorneys in settlement of *Robert S. Schmidt v. David A. Clarke, Jr., et al.*, Eastern District Case No. 10-C-0381, by recommending adoption of the following:

A RESOLUTION

WHEREAS, from October 23, 2009, to October 25, 2009, and from October 25, 2009, to December 21, 2009, Robert S. Schmidt was an inmate at the Milwaukee County Jail and the Milwaukee County House of Correction, respectively; and

WHEREAS, at the onset of each incarceration, Schmidt requested daily anticoagulation medication for his two medical conditions and medical staff verified said medical conditions prior to prescribing any medication; and

WHEREAS, on December 16, 2009, Schmidt was hospitalized for a massive blood clot, and there are at least three prior dates on which Schmidt’s medical records indicate he was in pain and advised medical staff that he believed he was suffering from a blood clot; and

WHEREAS, as a result of said incident, Schmidt filed a lawsuit in the United States District Court, Eastern District of Wisconsin, Case No. 10-C-0381, against Milwaukee County and numerous Milwaukee County employees seeking damages for pain and suffering endured leading up to and including the December 16, 2009, incident; and

WHEREAS, the parties engaged in court-ordered mediation before Federal Magistrate Judge Aaron Goodstein; and

WHEREAS, the tentative settlement agreement provides for a release of all claims against Milwaukee County and its employees in return for a payment by the Wisconsin County Mutual Insurance Corporation in the amount of \$15,000 to Schmidt; and

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

BE IT RESOLVED, that the Milwaukee County Board of Supervisors approves the payment by the Wisconsin County Mutual Insurance Corporation of \$15,000 to Schmidt and his attorneys, Foley & Lardner LLP, in exchange for dismissal of his lawsuit and a full and complete release of all claims against Milwaukee County and its employees.

