

**MILWAUKEE COUNTY
OFFICE OF CORPORATION COUNSEL**

DATE: June 24, 2022

TO: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors
Ryan Clancy, Chairman, Committee on Judiciary, Safety and General Services

FROM: Karen L. Tidwall, Deputy Corporation Counsel

SUBJECT: Status Update on Pending Litigation¹

Civil Rights / Jail / HOC / BHD

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
1	<i>Estate of Laliah Swayzer v. Milwaukee County, et al.</i> (2016 death of baby born to inmate)	E.D. Wis. 16-CV-1703	Leib Knott Gaynor	Section 1983 - Failure to properly train, supervise, and formulate investigative processes.	<ul style="list-style-type: none"> • 12/23/2016: Complaint filed; • 03/15/2017: Answer filed on behalf of County defendants; • 06/12/2019: Plaintiff's motion to amend complaint granted; • 07/15/2019: Extension of fact discovery deadline to this date; • 08/15/2019: County's summary judgment filed; awaiting decision; • 12/09/2019: Summary judgment fully briefed; awaiting decision;

¹ Please note: Updates for ongoing cases listed on previous reports appear in **bold type**. Information for new cases appears in standard type and are starred (*).

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
					<ul style="list-style-type: none"> • 08/05/2021: Status Conference scheduled and held; (1) County Defendant dismissed; • 03/04/2022: County’s motion for summary judgment granted in part and denied in part; dismissing all County defendants with the exception of one remaining defendant; • 04/01/2022: Joint status report filed; • 06/06/2022: Joint Status report filed; • 06/13/2022; Status conference held; case referred to Judge William E. Callahan for purpose of mediation; • 10/14/2022: Final pretrial conference scheduled; • 10/24/2022: Jury Trial scheduled.
2	<i>Estate of the Unborn child of Jennifer Jawson et al. v. Milwaukee County et al. (12/10/2016 stillborn birth by inmate)</i>	E.D. Wis. 19-CV-1008	Hansen Reynolds	Section 1983 – Deliberate indifference to medical needs including failure to deliver to methadone clinic and give medicines.	<ul style="list-style-type: none"> • 04/11/2017: Notice of claim filed against Jail and Armor; • 07/15/2019: Complaint filed; • 01/30/2020: Motion to dismiss by County fully briefed; • 02/06/2020: Motion to bifurcate and stay discovery filed by County; • 08/19/2020: County’s motion to dismiss granted in part and denied in part, dismissing claims brought by the estate, dismissing federal and state claims against County officer, but permitting two claims against County to proceed; • 09/01/2020: Answer to Amended Complaint filed and discovery ongoing; • 04/30/2021: Telephonic Scheduling Conference held; • 12/17/2021: Discovery deadline extended;

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					<ul style="list-style-type: none"> • 01/27/2022: Joint motion requesting status conference; • 02/03/2022: Dispositive motion deadline stricken; status conference held on 02/22/2022; • 03/30/2022: County’s motion for summary judgment and joint <i>Daubert</i> motion to exclude plaintiff’s expert’s testimony filed; • 06/09/2022: Plaintiff’s response filed; • 07/08/2022: County’s reply deadline extended.
3	<i>Estate of Terry Williams v. Milwaukee County, et al.</i> (June 2017 death at lakefront)	E.D. Wis. 18-CV-1222	Crivello Carlson	Section 1983 – Unlawful arrest; denial of due process; deficient hiring/continued employment policy; failure to train and discipline	<ul style="list-style-type: none"> • 08/09/2018: Complaint filed against County, Sheriff, and Deputy Sheriff; • 11/27/2018: Answer and Motion for Judgment on the Pleadings filed; discovery suspended; • 10/24/2019: Motion for withdrawal of counsel for plaintiff pending; • 04/17/2020: Discovery closed; • 05/18/2020: Dispositive motion deadline; • 07/21/2020: Deadline by court order to retain counsel or case will be dismissed without prejudice; • 08/04/2020: Letter received continuing case; • 08/13/2020: Status Conference held; • 08/28/2020: Deadline for plaintiff’s attorney to file notice of appearance; • 08/27/2020: Notice of appearance of behalf of all plaintiffs filed; • 10/27/2020: Plaintiff’s Motion to Amend Scheduling Order filed; • 11/17/2020: County’s response to Motion to Amend Scheduling Order filed;

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					<ul style="list-style-type: none"> • 12/21/2020: Court grants unopposed Motion to Amend Scheduling Order; all current deadlines stayed pending entry of new scheduling order; • 01/12/2021: Amended scheduling order; • 04/14/2021: Discovery and dispositive motions stayed following stipulation and motion for Estate’s counsel to be withdrawn; • 05/04/2021: Status Conference adjourned; rescheduled for 05/18/2021 and held; all deadlines stayed until Plaintiff finds counsel by the deadline of 07/23/2021; • 07/29/2021: Status Conference held; Court grants oral motion of Estate’s counsel to withdraw the stipulation to withdraw from representing the plaintiff; • 11/15/2021: Plaintiff’s second motion for extension of time to name experts and disclose expert reports filed; • 12/06/2021: County’s motion to dismiss for failure to prosecute and brief in opposition to plaintiff’s motion to extend time filed; • 12/27/2021: Plaintiff’s brief in opposition to motion to dismiss for failure to prosecute filed, pending decision; • 01/10/2022: County’s reply brief in support of motion to dismiss for failure to prosecute filed; • 03/04/2022: Plaintiff’s attorney filed motion to withdraw due to medical condition, pending ruling; • 04/14/2022: County’s motion for summary judgment filed; • 06/22/2022: Status conference held.

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4	<i>Estate of Michael Madden v. Milwaukee County, et al.</i> (September 2016 inmate death)	E.D. Wis. 18-CV-758 7 th Cir. 22-1116 22-CV-541	Crivello Carlson	Section 1983 – Deliberate indifference; wrongful death; negligence; excessive force; and <i>Monell</i> claim.	<ul style="list-style-type: none"> • 05/17/2018: Mother of deceased filed complaint; • 07/17/2018: Motion to dismiss Sheriff for lack of personal involvement denied on 3/19/2019; • Discovery proceeding; • 05/02/2019: Scheduling conference occurred; • 11/27/2019: Answer filed by County to amended complaint; • 06/19/2020: Mediation scheduled; • 08/01/2020: Discovery closes; • 08/01/2020: Dispositive motion deadline; • 07/31/2020: Joint motion to modify scheduling order filed; • 08/04/2020: Motion to modify granted by court, extension of discovery and dispositive motions deadlines to 11/16/2020; • 11/11/2020: Joint motion to modify scheduling order filed; • 11/13/2020: Joint motion to modify granted by court; • 12/09/2020: Joint motion to modify scheduling order filed; • 12/09/2020: Joint motion to modify granted by court; • 01/29/2021: Motion to modify granted by court, extension of discovery and dispositive motion deadlines to 03/19/2021; • 03/19/2021: County’s Summary Judgment filed; • 05/03/2021: Plaintiffs’ response brief filed; • 05/17/2021: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision; • 12/30/2021: County’s summary judgment granted in part and denied in part; summary

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					<p>judgment is granted in regard to the plaintiff's federal law claims and denied without prejudice as to the remaining state law claims as the Court refused to exercise supplemental jurisdiction;</p> <ul style="list-style-type: none"> • 01/25/2022: Notice of appeal filed; • 01/26/2022: State court complaint filed; • 03/07/2022: Appellant's brief filed; • 03/10/2022: Answer to state court complaint filed; • 04/11/2022: Appellee's brief filed; • 05/02/2022: Appellant's reply brief filed; • 05/31/2022: Oral argument held, pending court ruling.
5	<i>Christensen, et al. v. Sullivan, et al.</i>	96-CV-1835	Husch Blackwell; OCC	Jail population and health care	<ul style="list-style-type: none"> • 03/29/2018: Report by National Institute of Corrections (NIC) issued – Sheriff's Office addressed 15 of 17; recommendations and remaining 2 recommendations being addressed – 1) staffing analysis to be completed with NIC direction and by an outside consultant and 2) policy review and update; • 09/24/2018: mediation with Armor, ACLU, Legal Aid Society before former Justice Crooks; • 10/24/2018: Hearing wherein Dr. Shansky was ordered to draft a report concerning the October 16, 2018 inspection of the Jail; • 12/03/2018: Dr. Shansky report submitted; • 02/27/2019: Status conference held; • 03/04/2019: Court entered order approving County to contract with Wellpath for medical and dental care for inmates effective 04/01/2019; • 06/17/2019: Dr. Shansky's report filed; • 06/18/2019: Status conference held; • 11/22/2019: Status conference occurred;

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					<ul style="list-style-type: none"> • October 2020: Dr. Shansky visit has been postponed indefinitely; • 10/01/2020: Status conference occurred; • 01/21/2021: Status conference occurred; • 02/24/2021: Status conference adjourned; • 03/03/2021: Status conference held; • 05/17/2021: Milwaukee County Jail received accreditation from the National Commission on Correctional Health Care (NCCCHC); • 06/16/2021: Status conference held; • 08/10/2021: Status conference held; Court informed parties that he has read Dr. Shansky’s report and things appear to be going in the right direction; • 10/19/2021: Status conference held; County gives court a synopsis as to how parties are making progress and requests another status date; • 11/23/2021: Status conference held; Court is informed that parties are moving towards termination of the Decree for reasons stated on record; • 02/25/2022: Status conference rescheduled to 04/21/2022. • 04/21/2022: Status conference held. Rescheduled to 6/23/2022 for additional time to review resolution.
6	<i>Lloyd Johnson v. Milwaukee County, et al.</i>	E.D. Wis. 14-CV-1408; 7th Cir. 18-1321;	Hansen Reynolds	Section 1983 – Inadequate mental health care and treatment; negligence; cruel and	<ul style="list-style-type: none"> • 11/05/2014: Complaint filed in federal court; • 01/18/2018: Court dismissed case, granting County’s summary judgment motion; • 02/14/2018: Plaintiff filed appeal with the 7th Circuit;

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	(Patient care at BHD)	18-CV-1322 Court of Appeals No. 20-AP-2015		unusual punishment; and <i>Monell</i> claims	<ul style="list-style-type: none"> • 02/14/2018: Plaintiff also filed lawsuit in state court on negligence claims where there is a \$50,000 statutory cap for damages; status scheduled for 10/18/2019; • 04/09/2018: Mandatory 7th Circuit mediation occurred, but was ultimately unsuccessful; • 11/28/2018: Plaintiff's appellate brief filed; • 01/04/2019: County's appellate response brief filed; • 02/22/2019: Oral argument occurred; • 03/14/2019: Post-oral argument letter filed with court; • 08/30/2019: Seventh Circuit affirmed district court's grant of summary judgment in favor of County; only state claims remain; • 12/02/2019: Plaintiff filed petition for writ of certiorari with United States Supreme Court; • 02/03/2020: Brief in opposition to Certiorari filed by County; • 02/18/2020: Plaintiff's reply brief in support of petition for certiorari filed; • 03/09/2020: Petition for Writ of Certiorari denied; • 05/05/2020: Plaintiff's motion to amend state court complaint filed; • 06/16/2020: Plaintiff's motion for leave to file amended state court complaint granted; • \$50,000 statutory cap on state negligence claim being challenged. • Request to Offer Judgment to plaintiff in the amount of \$50,001.00 sought from County Board; • 07/23/2020: Offer of Judgment of \$50,001.00 approved by the County Board;

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					<ul style="list-style-type: none"> • 07/31/2020: Answer to Amended Complaint and Motion for Partial Judgment on Pleadings filed; • 11/24/2020: Court grants County’s motion for partial judgment on the pleadings in Count V and grants County’s motion regarding damages cap; • 12/15/2020: Petition for leave to appeal received; • 01/11/2021: Petition for leave to appeal denied; • 08/10/2021: Status conference held; Court vacated the 09/03/2021 pre-trial conference date; County to provide order to the Court with new dates; • 08/24/2021: County’s proposed scheduling order signed and filed; • 11/01/2021: County’s proposed order for judgment and brief in support of proposed order for judgment filed; • 12/14/2021: County’s proposed order for judgment denied; • 01/19/2022: Motion hearing held; parties request adjournment for further negotiations; • 03/03/2022: Pre-trial conference vacated due to settlement of negligence claim; • 08/10/2022: Calendar call rescheduled for stipulation of dismissal and order.

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7	<i>Jamie McGee v. David A. Clarke, Jr., et a.</i> (inmate in custody in 2016)	E.D. Wis. 19-CV-707	Leib Knott Gaynor, LLC	Section 1983 – Conditions of confinement, including alleged deprivation of water, food and bedding, as inhumane treatment	<ul style="list-style-type: none"> • 05/13/2019: Complaint filed; service accepted; • 11/22/2019: Motion to dismiss fully briefed. • Discovery to begin; • 07/30/2020: Complaint screened by court narrowing named defendants; • 08/21/2020: County’s second motion to dismiss plaintiff’s complaint filed; • 09/11/2020: Plaintiff’s brief in opposition of second motion to dismiss plaintiff’s complaint filed; • 09/25/2020: County’s reply filed; • 12/22/2020: Court grants County’s motion in part and denies in part, dismissing one County defendant but permitting claims against Milwaukee County and other County defendants to proceed; • 01/05/2021: Answer filed; • 09/09/2021: Plaintiff’s stipulation to withdraw as counsel and stipulation to modify discovery deadlines filed; • 09/21/2021: Status conference held; court orders replacement counsel and defendants’ counsel to confer and file status report by 10/05/2021 proposing new deadlines; • 05/27/2022: Discovery and dispositive motion deadlines extended; • 06/29/2022: Status conference scheduled; • 08/11/2022: Final pre-trial conference scheduled; • 08/22/2022: Jury Trial scheduled. • Settlement negotiations in process.

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8	<i>Robert Tatum v. Clarke, et al.</i>	E.D. Wis. 11-CV-1131 7 th Cir. 22-1069	Crivello Carlson	Section 1983 – Violation of due process	<ul style="list-style-type: none"> • 12/13/2011: Complaint filed; • 06/29/2012: Answer filed; • 07/23/2018: Third summary judgment motion filed, awaiting ruling; • 02/15/2019: Summary judgment granted for a dismissal of all state claims and all but four federal claims; • 11/11/2019: Reconsideration denied; one due process claim remaining; • 11/25/2019: Status hearing; • 03/31/2020: Pre-trial conference scheduled; • 04/16/2020: Trial scheduled on due process claim; • Trial scheduled for 04/16/2020 adjourned; • 07/20/2020: Status Conference scheduled to identify new trial date; • 08/03/2020: County’s response to plaintiff’s request regarding Rule 36 admissions filed; • 11/03/2020: Trial of this matter is indefinitely postponed; • 03/04/2021: Court warned Plaintiff that continued meritless filings will result in sanctions, including dismissal; • 09/22/2021: Status conference held; Jury Trial held on 01/03/2022; • 01/04/2022: Jury returned a complete defense verdict on all claims; • 01/18/2022: Notice of appeal and docketing statement filed; • 05/04/2022: Appellant’s brief filed; • 07/01/2022: Appellee’s brief deadline extended; • 07/22/2022: Appellant’s reply brief deadline extended.

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9	<i>Steven Sand v. Milwaukee County House of Correction, et al.</i>	E.D. Wis. 19-CV-348	OCC	Section 1983 – RLUIPA, First Amendment and <i>Monell</i> claims	<ul style="list-style-type: none"> • 03/08/2019: Complaint filed; • 04/02/2019: Answer filed; • 07/23/2019: Motion to dismiss briefed; • 11/18/2019: Motion to dismiss granted in part; denied in part; • 03/01/2021: County and Aramark filed motions summary judgment; • 03/02/2021: Plaintiff filed cross-motion for summary judgment; • 04/16/2021: Response briefs by all parties deadline extended to 04/23/2021; County’s response brief filed; • 05/14/2021: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision; • 10/14/2021: Mediation held; parties were unable to reach a resolution; pending scheduling conference with district judge; • 03/29/2022: County’s motion for summary judgment granted in part and denied in part; granted in respect to plaintiff’s equal protection claim, all other claims denied; • 05/2022: County’s motion for reconsideration of Court’s ruling to be filed; • Mediation with private mediator to be scheduled within 60 days; • 09/30/2022: Final pretrial conference scheduled; • 10/24/2022: Jury trial scheduled.
10	<i>Ramon Alvarado v. Jackson, et al.</i>	Consolidated E.D. Wis. 19-CV-194	OCC	Section 1983 – Excessive force and violation of due process.	<ul style="list-style-type: none"> • 02/26/2019: Complaint filed; • 07/10/2019: Answer filed; • 12/17/2019: Motion to amend complaint pending;

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					<ul style="list-style-type: none"> • 08/28/2020: Plaintiff’s motion to amend complaint denied; • 11/16/2020: Discovery deadline extended; • 12/17/2020: Dispositive motion deadline extended; • 12/09/2020: Motion hearing held; motion to compel discovery is denied and motion for order to compel deposition and costs are granted; • 01/08/2021: Discovery deadline extended; • 03/22/2021: County’s summary judgment filed; • 05/12/2021: Plaintiff’s response brief filed, pending court decision; • 06/09/2021: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision; • 08/04/2021: County’s summary judgment granted in part and denied in part; summary judgment is granted for all claims against (2) of the County defendants; but denied as to (1) claim against (1) County defendant; • 08/19/2021: Status conference held; • 08/26/2021: Plaintiff’s motion for reconsideration of summary judgment filed; • 09/08/2021: County’s motion for extension of time filed and granted; County’s brief in opposition to plaintiff’s motion for reconsideration filed 10/07/2021; • 10/22/2021: Plaintiff’s motion to subpoena, motion for order of writ of habeas corpus, and agreement to reimburse pro bono fund filed; • 11/04/2021: Plaintiff’s motion for reconsideration of summary judgment denied;

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					<ul style="list-style-type: none"> • 11/08/2021: Status conference scheduled and held denying plaintiff's outstanding motions; • 12/09/2021: Status conference held to discuss trial dates; parties are too far apart to settle or engage in meaningful mediation; • 04/06/2022: County's motions in limine filed; • 04/13/2022: Plaintiff's motions in limine filed; • 04/22/2022: Final pretrial conference held; • 05/16/2022: Jury Trial held; • 05/17/2022: Verdict in favor of defense; judgment entered; • 05/24/2022: Plaintiff's motion challenging jury selection procedure, pending decision; • 06/09/2022: Plaintiff's motion for judgment as a matter of law, pending decision; • 06/21/2022: Plaintiff's motion to extend deadline by when to appeal, pending decision.

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11	<i>Freddie McDougal v. Berry, et al.</i>	E.D. Wis. 18-CV-1218	OCC	Section 1983 – Deliberate indifference to medical need	<ul style="list-style-type: none"> • 08/08/2018: Complaint filed; • 04/02/2019: Answer filed; • Discovery proceeding; • 01/16/2020: Plaintiff’s motion to amend complaint pending; • 08/28/2020: Plaintiff’s motion to amend complaint denied; • 09/28/2021: County’s summary judgment fully briefed, awaiting decision; • 10/27/2021: Order denying the plaintiff’s summary judgment and granting in part and denying in part the County’s motion for summary judgment; • 11/19/2021: Status conference scheduled and cancelled; plaintiff to inform the court of changes to contact information by 11/30/2021; • 11/22/2021: Plaintiff filed notice of change of address; • 12/07/2021: Plaintiff’s motion to appoint counsel granted. • Settlement discussions in progress.

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12	<i>Omar Wesley v. Armor Correctional Health Services, et al.</i>	E.D. Wis. 19-CV-918	Crivello Carlson	Section 1983 – Inadequate medical care; failure to provide medicine.	<ul style="list-style-type: none"> • 06/21/2019: Complaint filed; • 07/16/2019: County answer filed; • 08/17/2020: Amended complaint filed; • 09/08/2020: Answer and Motion for Judgment on the Pleadings filed, pending decision; • 06/01/2021: County’s motion for judgment on the pleadings granted in part and denied in part. Monell and negligence claims dismissed; litigation as to individual defendants continues; • 12/22/2021: Armor’s counsel filed motion to withdraw; deadlines stayed pending appearance of new counsel or possible default judgment; • 01/18/2022: Armor’s new counsel filed a notice of substitution; • 04/12/2022: County’s motion for summary judgment filed; Plaintiffs’ motion for summary judgment filed; • 05/12/2022: County’s brief in opposition filed; • 05/26/2022: Plaintiffs’ brief in opposition and reply brief filed; • 06/09/2022: County’s reply brief filed.

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13	<i>Rabbi Milchtein, et al. v. Anderson, et al.</i>	E.D. Wis. 19-CV-1834 7th Cir. 21-2955	Crivello Carlson	Section 1983 – Due process violation; First Amendment - free exercise of religion; <i>Monell</i> claims	<ul style="list-style-type: none"> • 12/15/2019: Complaint filed; • 03/10/2020: County’s Motion to Dismiss filed; • 10/27/2020: County’s motion to dismiss is granted in part and denied in part; • 11/30/2020: County filed a second motion to dismiss and brief in support of qualified immunity; • 12/14/2020: Plaintiff’s brief in opposition filed; • 12/21/2020: Reply brief filed; pending decision; • 07/06/2021: Notice of appearance by outside counsel; • 09/24/2021: County’s second motion to dismiss on the ground of qualified immunity granted, case dismissed with prejudice; • 10/22/2021: Notice of appeal timely filed; • 10/25/2021: Docketing statement filed; • 11/30/2021: Appellants’ motion to extend time filed and granted; • 02/11/2022: Appellants’ brief deadline extended; plaintiff filed a motion to file brief under seal which is denied; • 02/14/2022: Appellants’ brief filed; • 03/14/2022: Appellees’ brief filed; • 04/18/2022: Appellants’ reply brief deadline extended and filed, fully briefed and pending ruling; • 05/03/2022: Appellant’s amended motion to present oral argument remotely denied and 05/17/2022 oral argument vacated; appeal will be submitted for decision based on briefs and record.

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14	<i>Wynette McClelland v. Earnell Lucas, et al.</i>	E.D. Wis. 20-CV-366	OCC	Section 1983 – <i>Monell</i> claims; First Amendment Free exercise of religion; conditions of confinement.	<ul style="list-style-type: none"> • 05/08/2020: Second Amended Complaint filed; • 07/10/2020: Answer filed; • 08/18/2021: County’s motion to compel discovery, or in the alternative, to dismiss filed; • 09/08/2021: Plaintiff’s reply brief and motion to withdraw deemed admissions filed; • 09/29/2021: County’s motion to compel discovery, or in the alternative, to dismiss denied; plaintiff’s motion to withdraw deemed admissions granted; • 12/03/2021: Amended complaint filed; • 12/17/2021: Answer to amended complaint filed. • 12/21/2021: Discovery deadline extended; • 06/01/2022: County’s motion for summary judgment filed; • 08/01/2022: Plaintiff’s response brief deadline extended; • 08/31/2022: County’s reply brief deadline extended.

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15	<i>Lavall Lee v. Milwaukee County Jail, et al.</i>	E.D. Wis. 19-CV-614 7 th Cir. 21-2702	OCC	Section 1983 - <i>Monell</i> claims	<ul style="list-style-type: none"> • 11/15/2019: Amended Complaint filed; • 07/09/2020: Answer filed; • 03/02/2021: Discovery deadline extended; • 04/09/2021: Dispositive motion deadline extended, and County’s Summary Judgment filed; • 06/04/2021: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision; • 08/31/2021: Summary judgment granted in favor of County defendants; • 09/16/2021: Notice of appeal filed; • 09/29/2021: Docketing Statement filed; • 10/08/2021: Appellant’s brief filed; • 04/06/2022: Appellee’s brief deadline extended and filed; • 04/18/2022: Appellant’s reply brief filed, awaiting decision.
16	<i>Devin Simon v. Kirkland, et al.</i>	E.D. Wis. 20-CV-466	OCC	Section 1983 – Deliberate indifference to medical need.	<ul style="list-style-type: none"> • 03/23/2020: Complaint filed; • 08/24/2020: Answer filed; • 08/05/2021: Discovery deadline extended; • 10/13/2021: County’s summary judgment filed; • 10/20/2021: Plaintiff’s extension of time filed and granted; plaintiff’s response brief due 12/17/2021; • 12/10/2021: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision; • 01/04/2022: Armor’s counsel filed motion to withdraw as counsel; Armor’s new counsel filed a notice of appearance on 02/03/2022.

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17	<i>Lashaun Benjamin v. Alicia Sanchez</i>	E.D. Wis. 18-CV-570	OCC	Section 1983 – Due process violation.	<ul style="list-style-type: none"> • 01/23/2019: Amended Complaint filed; • 08/19/2020: Answer filed; • 03/18/2021: Dispositive motion deadline extended; • 04/19/2021: Dispositive motion deadline extended; • 05/12/2021: Status conference held and dispositive motions deadline stayed; • 12/13/2021: Pro bono counsel for Plaintiff appointed; • 02/10/2022: Status conference rescheduled and held; • 03/30/2022: Status conference held; • 08/31/2022: Discovery deadline; • 09/30/2022: Amended pleadings deadline; • 10/12/2022: Status conference scheduled.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
18	<i>William Shaw v. Kerry Turner, et al.</i>	E.D. Wis. 20-CV-365	Crivello Carlson	Section 1983 – <i>Monell</i> claims; supervisory liability; conditions of confinement.	<ul style="list-style-type: none"> • 06/22/2020: Amended Complaint filed; • 09/21/2020: Answer filed; • 01/29/2021: Amended complaint naming Doe defendants filed and permitted; • 03/30/2021: Answer to Amended Complaint filed; • 05/07/2021: Notice of appearance by outside counsel filed; • 07/28/2021: County’s summary judgment filed; • 09/13/2021: Plaintiff’s motion for relief and to compel filed; • 10/14/2021: County’s brief in opposition filed; • 10/28/2021: Plaintiff’s response brief deadline extended; deadlines are stayed until the court’s decision on pending motions; • 01/03/2022: Telephone conference to address pending motions held; County’s motion for summary judgment denied without prejudice to allow for additional discovery; • 08/22/2022: Discovery deadline extended; • 09/23/2022: Dispositive motion deadline extended.
19	<i>Shanon Wood v. Milwaukee County, et al.</i>	E.D. Wis. 19-CV-619	OCC	Section 1983 – Conditions of confinement.	<ul style="list-style-type: none"> • 04/29/2019: Complaint filed; • 07/30/2020: Case screened by court; • 09/25/2020: Answer filed; • 03/01/2021: Discovery deadline; • 04/01/2021: Dispositive motion deadline; • 11/12/2020: Dispositive motion on failure to exhaust deadline set; • 12/03/2020: Motion to extend deadline; • 12/10/2020: Summary judgment regarding administrative exhaustion filed;

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
					<ul style="list-style-type: none"> • 01/08/2021: Plaintiff’s reply brief filed; • 01/11/2021: Deadline for plaintiff to respond to County’s summary judgment motion or case will be dismissed; • 02/04/2021: Summary judgment regarding administrative exhaustion fully briefed, awaiting decision; • 06/15/2021: County’s motion for summary judgment regarding administrative exhaustion denied; • 10/11/2021: Deadline for plaintiff to file a motion identifying the Doe defendants, failure to do so may result in dismissal of the Doe defendants; • 12/17/2021: County’s motion for summary judgment filed; • 12/21/2021: Court order dismissing John Doe CO officers 1-4, Milwaukee County and Kevin Johnson remain as defendants; • 01/13/2022: Plaintiff’s response brief filed; • 02/28/2022: County’s motion for summary judgment fully briefed, awaiting decision.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
20	<i>Michael S. Peden v. City of Milwaukee, et al.</i>	E.D. Wis. 20-CV-1307	Emile H. Banks & Associates, LLC	Section 1983 –Due process violation.	<ul style="list-style-type: none"> • 08/25/2020: Complaint filed; • 09/16/2020: Answer filed; • 11/19/2020: Rule 26(a) disclosures to be exchanged; • 08/10/2021: Status conference held; parties to provide dates for amended scheduling order no later than 08/31/2021; • 01/18/2022: Motion hearing to discuss outstanding discovery matters scheduled and held; Court sets new deadlines; • 07/26/2022: Discovery deadline extended; • 08/26/2022: Dispositive motion deadline extended.
21	<i>Frank “Nitty” Sensabaugh v. Michael Krznarich, et al.</i>	20-CV-5094 E.D. Wis. 20-CV-1502	Emile H. Banks & Associates, LLC Hansen Reynolds LLC	State case alleging federal claims: Violation of First Amendment; excessive force causing physical and emotional pain and suffering; unlawful arrest; violation of Fourteenth Amendment rights.	<ul style="list-style-type: none"> • 08/27/2020: Complaint filed; • 09/28/2020: County’s notice of removal to federal court filed; • 10/27/2020: Defendants’ motion for judgment on the pleadings filed; • 12/16/2020: Rule 26(a) disclosures to be exchanged; • 02/26/2021: Amended pleadings due; • 08/17/2021: County’s motion for partial judgment on the pleadings is granted in part and denied in part; Plaintiff to file amended complaint by 09/14/2021, or defendant Milwaukee County will be dismissed; • 09/27/2021: Plaintiff did not file an amended complaint by the deadline; court orders that defendant Milwaukee County is dismissed with other County defendants still remaining; • 04/11/2022: Discovery deadline extended; • 06/02/2022: County’s motion for summary judgment filed.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
22	<i>Kevin L. Burks v. Broeske</i>	E.D. Wis. 20-CV-1210	Emile H. Banks & Associates, LLC	Section 1983 – Deliberate indifference to medical need.	<ul style="list-style-type: none"> • 08/07/2020: Complaint filed; • 11/04/2020: Answer filed; • 04/05/2021: Discovery deadline; • 05/07/2021: County’s motion for summary judgment filed; • 09/13/2021: Plaintiff’s response brief filed; • 10/07/2021: County’s reply brief filed; fully briefed and awaiting decision; • 03/10/2022: County’s and plaintiff’s motion for summary judgment is denied; • 04/05/2022: Status conference scheduled and held; plaintiff moved the Court to recruit counsel; • 04/11/2022: Plaintiff’s motion to appoint expert witness filed; • 06/01/2022: Status conference held; plaintiff’s motion to appoint expert witness denied; • 08/23/2022: Final pretrial conference scheduled; • 09/26/2022: Jury trial scheduled.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
23	<i>Jonathan David Wilke v. Wilborn</i>	E.D. Wis. 20-CV-862	OCC	Section 1983 – Excessive Force, due process violation.	<ul style="list-style-type: none"> • 06/08/2020: Complaint filed; • 11/09/2020: Answer filed; • 06/25/2021: County’s Summary judgment filed; • 07/22/2021: Plaintiff’s motion to stay proceedings and motion for extension of time filed and granted; • 07/26/2021: County’s motion for summary judgment is stayed until the Court resolves the plaintiff’s motion to compel; • 09/21/2021: Plaintiff’s motion to compel granted in part and denied in part; County to respond by 10/05/2021; • 10/13/2021: Plaintiff’s response to County’s motion for summary judgment filed; • 10/27/2021: County’s motion for extension of time to file reply filed and granted; County’s reply in support of motion for summary judgment due 11/10/2021; • 11/10/2021: County’s reply brief filed; fully briefed and awaiting decision; • 02/07/2022: County’s motion for summary judgment denied; • 02/22/2022: Status conference held; • 03/24/2022: Settlement negotiations in process. Due to the likeliness of settlement, Court administratively closed case; • 04/25/2022: Plaintiff’s motion to re-open case and set motion deadlines and jury trial date filed; • 07/20/2022: Status conference scheduled; • Briefs opposing Plaintiff’s motions in process.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
24	<i>Clarence Saffold v. Peterson, et al.</i>	E.D. Wis. 19-CV-1414	Crivello Carlson	Section 1983 – Deliberate indifference to medical need.	<ul style="list-style-type: none"> • 01/21/2020: Amended complaint filed; • 11/25/2020: Answer filed; • 05/17/2021: Discovery deadline; • 06/16/2021: Dispositive motion deadline • 01/29/2021: Motion to dismiss filed; case stayed; • 03/02/2021: Notice of appearance by outside counsel filed; • 03/05/2021: Reply brief in support of motion to dismiss filed, pending decision; • 05/18/2021: County’s motion to dismiss denied without prejudice; • 09/08/2021: County and G4S’s motion for summary judgment on exhaustion grounds fully briefed, awaiting decision; • 02/16/2022: Order denying County’s/G4S’s motion for summary judgment on the issue of exhaustion; • 04/27/2022: <i>Pavey</i> evidentiary hearing held; ruling on summary judgment motions to proceed; • 05/20/2022: County’s motion for summary judgment denied in part and granted in part; (2) County defendants dismissed, (3) County defendants remain; • 06/13/2022: Plaintiff’s motion to appoint counsel filed; • 10/24/2022: Discovery deadline; • 11/28/2022: Dispositive motion deadline.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
25	<i>Rafeal Newson v. Milwaukee County, et al.</i>	20-CV-4744 Court of Appeals No. 21-AP-714	OCC	Section 1983 - Tort of abuse of legal process.	<ul style="list-style-type: none"> • 08/11/2020: Complaint filed; • 12/01/2020: Motion to dismiss filed; • 04/13/2021: Motion hearing held. County's motion to dismiss granted. County to submit an order of dismissal under the Court's 5-day rule before dismissal becomes final; • 04/19/2021: Notice of appeal filed; • 05/04/2021: Final order to dismiss signed and filed; • 07/15/2021: Court of Appeals remanded to state court; • 07/19/2021: Appellant brief filed; • 09/28/2021: Plaintiff's Writ of Mandamus filed and denied in state court; • 10/28/2021: Plaintiff's objections, affidavit of prejudice, and notice of claim and injury filed in state court; • 11/05/2021: Plaintiff's extension of time to file appellant brief filed; • 11/30/2021: Plaintiff's second Writ of Mandamus and motion to supplement an incomplete record filed in state court; • 06/02/2022: Appellant's motion to stay filed and denied; • 07/11/2022: Appellants brief deadline extended.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
26	<i>Jeeline Spears v. Lt. Tyler</i>	E.D. Wis. 20-CV-894	Emile Banks & Associates, LLC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 06/12/2020: Complaint filed; • 12/21/2020: Answer filed; • 01/28/2021: Plaintiff’s motion to amend complaint filed; • 03/08/2021: Motion to Amended Complaint granted; • 04/06/2021: Answer filed; • 09/10/2021: Discovery deadline; • 10/01/2021: County’s motion for extension of time to file summary judgment filed and granted; dispositive motion deadline extended to 11/12/2021; • 11/03/2021: County’s summary judgment filed; • 12/28/2021: Plaintiff’s response brief filed; • 01/13/2022: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision.
27	<i>Demetrius Blakes v. Milwaukee County Sheriff’s Office</i>	E.D. Wis. 19-CV-109	Emile H. Banks & Associates, LLC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 01/18/2019: Complaint filed; • 02/01/2021: Answer filed; • 02/11/2022: Discovery deadline extended; • 03/11/2022: Dispositive motion deadline extended; • 05/05/2022: Status conference scheduled; rescheduled to 06/21/2022.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
28	<i>Travis Raddle v. Kaminski</i>	E.D. Wis. 20-CV-763	Emile H. Banks & Associates, LLC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 05/20/2020: Complaint filed; • 02/24/2021: Answer filed; • 04/14/2021: Notice of appearance by outside counsel filed; • 04/14/2021: Status conference held to discuss possibility of settlement; • 07/21/2021: Status conference held; discovery and dispositive motion deadlines set; • 08/23/2021: Status conference held; plaintiff’s motion to appoint counsel denied; • 11/09/2021: Status conference held; settlement unlikely at this time; • 12/22/2021: County’s motion for summary judgment filed; • 01/04/2022: Plaintiff’s response brief filed; • 01/07/2022: County’s reply brief in support of summary judgment filed, fully briefed and awaiting decision.
29	<i>Demetrius Gohre v. Doe</i>	E.D. Wis. 21-CV-370	OCC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 03/24/2021: Complaint filed; • 08/02/2021: Deadline for Plaintiff to identify Doe defendants; • 08/30/2021: Decision and order dismissing case for failure to diligently prosecute; • 09/13/2021: Plaintiff’s response to decision and order filed identifying the doe defendant; • 09/17/2021: Case re-opened; • 11/15/2021: Answer filed; • 04/14/2022: Discovery deadline; • 05/16/2022: County’s motion for summary judgment filed; • 07/15/2022: Plaintiff’s response deadline.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
30	<i>Deron Love v. Milwaukee County, et al.</i>	E.D. Wis. 21-CV-685	OCC	Section 1983 – Conditions of confinement.	<ul style="list-style-type: none"> • 06/03/2021: Summons and Complaint filed; • 09/13/2021: County’s motion for extension of time to file answer filed and granted; • 10/22/2021: Answer filed; • 12/20/2021: Plaintiff’s motion to suspend litigation filed; • 12/28/2021: County’s motion to dismiss plaintiff’s action against certain defendants due to non-service of the complaint filed; • 12/29/2021: County’s response to plaintiff’s motion to suspend litigation filed; • 04/05/2022: County’s motion to dismiss plaintiff’s action against certain defendants due to non-service granted; Milwaukee County remains sole defendant; • 05/04/2022: Rule 16 scheduling conference held; • 05/05/2022: Amended complaint filed; • 06/15/2022: County’s motion to dismiss filed; • 07/09/2022: Rule 26(a)(1) initial disclosures deadline; • 08/09/2022: Amended pleadings deadline; • 12/01/2022: Discovery deadline; • 01/15/2023: Dispositive motion deadline.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
31	<i>Christopher Goodvine v. Milwaukee County, et al.</i>	E.D. Wis. 21-CV-46	OCC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 06/28/2021: Amended Complaint filed; • 11/01/2021: Answer filed; • 06/03/2022: Plaintiff’s motion for protective order filed; • 07/15/2022: Motion for summary judgment on exhaustion grounds deadline; • 08/22/2022: Amended pleadings deadline; • 10/24/2022: Discovery deadline; • 11/28/2022: Motion for summary judgment on the merits deadline.
32	<i>Gramling Lambach, et al. v. Conte, et al.</i>	E.D. Wis. 21-CV-1032	Crivello Carlson	Section 1983	<ul style="list-style-type: none"> • 09/03/2021: Summons and Complaint filed; • 11/09/2021: Answer filed; • 08/01/2022: Dispositive motion deadline; • 11/15/2022: Final pretrial scheduled; • 11/21/2022: Jury trial scheduled.
33	<i>Brian Coleman v. Doe</i>	E.D. Wis. 21-CV-940	OCC	Section 1983 – Deliberate indifference to medical needs.	<ul style="list-style-type: none"> • 12/07/2021: Amended Complaint filed. • 05/02/2022: Deadline to identify medical Doe defendants; • 05/18/2022: Case dismissed based on plaintiff’s failure to prosecute; • 06/17/2022: Plaintiff’s deadline to appeal.
34	<i>The Estate of Brian Collins, et al. v. Milwaukee County, et al.</i>	E.D. Wis. 21-CV-1438	Hansen Reynolds	Section 1983 – Wrongful death	<ul style="list-style-type: none"> • 12/17/2021: Complaint filed; • 03/18/2022: Answer filed.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
35	<i>Andrea Dawson v. City of Milwaukee, et al.</i>	E.D. Wis. 21-CV-809	OCC	Section 1983 – Deliberate indifference to medical need and failure to intervene.	<ul style="list-style-type: none"> • 12/13/2021: Amended Complaint filed; • 05/23/2022: Answer filed; • 07/25/2022: Motion for summary judgment on exhaustion grounds deadline; • 10/24/2022: Discovery deadline; • 11/28/2022: Motion for summary judgment on the merits deadline.
36	<i>Brandy Bond v. Nichols, et al.</i>	E.D. Wis. 20-CV-910	OCC	Section 1983 – Unwanted administration of antipsychotic drugs	<ul style="list-style-type: none"> • 06/16/2020: Complaint filed; • 04/01/2022: Answer filed; • 04/20/2022: Plaintiff’s motion to amend complaint and motion to appoint counsel filed; • 04/25/2022: Rule 26 discovery plan filed; • 06/14/2022: Updated claim filed by plaintiff; • 06/15/2022: Amended pleadings deadline; • 10/21/2022: Discovery deadline; • 11/21/2022: Dispositive motion deadline; • 12/21/2022: Plaintiff’s response deadline; • 01/04/2023: County’s reply deadline.
37	<i>Trevor Young, Jr. v. Lt. Jones, et al.</i>	E.D. Wis. 22-CV-130	OCC	Section 1983 – Excessive force.	<ul style="list-style-type: none"> • 02/01/2022: Complaint filed; • 06/03/2022: Answer filed; • 10/31/2022: Discovery deadline; • 11/30/2022: Dispositive motion deadline.
38	<i>William Shaw v. County of Milwaukee, et al.</i>	E.D. Wis. 22-CV-97	OCC	Section 1983 – Conditions of confinement.	<ul style="list-style-type: none"> • 01/25/2022: Complaint filed; • 06/07/2022: Answer filed; • 11/07/2022: Discovery deadline; • 12/07/2022: Dispositive motion deadline.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
39	<i>Dre'Lon Hill v. Cornog, et al.</i>	E.D. Wis. 21-CV-1076	OCC	Section 1983 – Conditions of confinement.	<ul style="list-style-type: none"> 02/17/2022: Amended complaint filed; 06/07/2022: Answer filed; 08/08/2022: Motion for summary judgment on exhaustion grounds deadline; 11/08/2022: Discovery deadline; 12/08/2022: Motion for summary judgment on the merits deadline.
40	<i>Michael Brown v. Gipson, et al.</i>	E.D. Wis. 22-CV-202	OCC	Section 1983 – Deliberate indifference to medical need.	<ul style="list-style-type: none"> 02/18/2022: Complaint filed; 07/03/2022: Answer deadline extended.
41	<i>Bengi Pena Gomez v. Doe</i>	E.D. Wis. 22-CV-283	OCC	Section 1983 – Failure to protect	<ul style="list-style-type: none"> 03/07/2022: Complaint filed; 06/20/2022: Plaintiff to identify Doe defendant deadline.
42	<i>Terrence Fitch v. McAdams, et al.</i>	22-CV-523	OCC	Section 1983	<ul style="list-style-type: none"> 05/02/2022: Complaint filed; 06/13/2022: County's motion to dismiss for failure to state a claim and to dismiss for lack of jurisdiction filed; 06/15/2022: Proposed amended complaint filed; 07/05/2022: Answer deadline.
43	<i>Ty'Shawn Kaviontae Gilmore v. Anderson, et al.</i>	E.D. Wis. 22-CV-30	OCC	Section 1983 – Conditions of confinement and deliberate indifference.	<ul style="list-style-type: none"> 04/06/2022: Amended Complaint filed; 07/25/2022: Answer deadline.

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
44	<i>Angelo Barnes v. Howard, et al.</i>	E.D. Wis. 22-CV-537	OCC	Section 1983 – Deliberate indifference to medical need.	<ul style="list-style-type: none"> • 05/23/2022: Amended Complaint filed; • 06/22/2022: Non-acceptance of service filed for County defendant.

Personal Injury

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
45	<i>Estate of Christopher Weber, et al. v. County of Milwaukee, et al.</i>	18-CV-9237 Court of Appeals No. 20-AP-1473	Law Offices of Thomas J. Donnelly	12/19/2016 vehicular death on Hoan Bridge; allegations of breach of duty related to snow accumulation/removal under County contract with State to maintain roadway, clear snow from shoulder.	<ul style="list-style-type: none"> • 04/13/2017: Notice of claim; • 11/27/2018: Complaint filed; • 01/9/2019: Answer filed; • 01/25/2019: Amended Answer filed; • Discovery ongoing; • 01/06/2020: Motion for summary judgment filed by County; • 06/25/2020: County’s motion for summary judgment granted; • 08/26/2020: Notice of Appeal filed; • 08/31/2020: Docketing statement filed; • 11/27/2020: Appellant’s brief filed; • 12/23/2020: Respondent’s brief filed; • 01/11/2021: Appellant’s reply brief filed, pending decision; • 03/22/2022: Court of appeals affirmed state court’s grant of motion for summary judgment in favor of County defendants; • 04/21/2022: Petition for Writ of <i>Certiorari</i> filed; • 06/22/2022: Petition for review denied. • Case concluded.
46	<i>Mutaz M. Abushawish, et al. v. Milwaukee County, et al.</i>	E.D. Wis. 20-CV-1914	Crivello Carlson	<i>Monell</i> claim	<ul style="list-style-type: none"> • 11/20/2020: Summons and Complaint filed; • 12/28/2020: Answer and notice of removal to federal court filed; • 04/15/2021: Scheduling conference held; • 12/10/2021: County’s motion for summary judgment filed;

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
					<ul style="list-style-type: none"> • 12/13/2021: Plaintiffs motion for summary judgment filed; • 01/25/2022: Plaintiff's response brief filed; • 01/27/2022: County's response brief filed; • 02/08/2022: County's reply brief filed; • 02/10/2022: Plaintiff's reply brief in support of their summary judgment filed, fully briefed and awaiting decision; • 06/08/2022: County's and Plaintiff's motions for summary judgment granted in part and denied in part, such that the case will proceed; • County will file a motion for reconsideration of the Court's summary judgment order.
47	<i>Matthew Szabo, et al. v. Milwaukee County Highway Department, et al.</i>	21-CV-4289	OCC	Auto accident involving a plow truck	<ul style="list-style-type: none"> • 07/21/2021: Summons and Complaint filed; • 09/03/2021: Answer filed; • 12/09/2021: Scheduling conference scheduled and held; • 07/11/2022: Pretrial conference scheduled.
48	<i>The Estate of Ceasar Stinson, et al. v. Milwaukee County, et al.</i>	21-CV-4515 E.D. Wis. 21-CV-1046	Hansen Reynolds, LLC	Fatal auto accident involving a deputy's squad	<ul style="list-style-type: none"> • 07/29/2021: Summons and Complaint filed; • 09/09/2021: County's notice of removal to federal court filed; • 09/16/2021: Answer filed; • 09/16/2021: County's motion for partial judgment on pleadings filed; • 10/06/2021: Plaintiff's response to County's motion for partial judgment on pleadings filed;

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
					<ul style="list-style-type: none"> • 10/20/2021: County’s reply brief in support of motion for partial judgment on pleadings filed; pending decision; • 05/02/2022: County’s motion for partial judgment on pleadings granted in part and denied in part; count two of plaintiff’s complaint is dismissed without prejudice as to County defendants; • 06/21/2022: Interim settlement report filed; • 07/01/2022: Dispositive motion deadline; • 10/14/2022: Motion in limine and Daubert motion deadline; • 10/25/2022: Final pre-trial scheduled; • 10/31/2022: Jury Trial scheduled.
49	<i>Allstate v. Milwaukee County, et al.</i>	21-SC-24310	OCC	Auto accident involving a County owned vehicle	<ul style="list-style-type: none"> • 10/27/2021: Summons and Complaint filed; • 11/23/2021: Hearing held; adjourned for further proceedings on 01/04/2022 held; adjourned for further proceedings on 02/08/2022; • 02/02/2022: Hearing held, adjourned for further proceedings on 03/15/2022 and held; • 05/12/2022: Evidentiary hearing adjourned; settlement reached, pending filing of dismissal documents.
50	<i>Peter Wilsens, et al. v. HMSHost Corporation, et al.</i>	22-CV-722	Tressler, LLP	A slip and fall causing injury at the Airport.	<ul style="list-style-type: none"> • 02/03/2022: Complaint filed; • 04/28/2022: Answer filed; • 09/01/2022: Scheduling conference scheduled.

Employment/Human Resources Matters²

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
51	<i>Joseph Braun v. Milwaukee County</i>	E.D. Wis. 20-CV-1238	Lindner & Marsack, S.C.	Alleged violation of FMLA including interference with rights under the Family Medical Leave Act and alleged discrimination/retaliation for engaging in protected activity	<ul style="list-style-type: none"> • 08/12/2020: Complaint filed; • 10/12/2020: Answer filed; • 02/26/2021: Amended complaint filed; • 03/10/2021: Answer filed; • 04/01/2021: Rule 26(a) disclosures to be exchanged; • 03/31/2022: Discovery deadline extended; • 06/17/2022: Summary judgment fully briefed, awaiting decision.

² In addition to employment matters filed in federal court, numerous complaints filed with the Equal Employment Opportunity Commission and the State of Wisconsin Department of Workforce Development – Equal Rights Division are pending. The OCC also handles grievance arbitrations concerning employment actions taken against employees who still possess union rights. Lastly, the OCC handles many matters before the Civil Service Commission and the Personnel Review Board, the number of which fluctuates significantly from month-to-month.

Pension Litigation³

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
52	<i>Fred Rutter v. Pension Board of the ERS of the County of Milwaukee</i>	21-CV-3816	Reinhart Boerner Van Deuren S.C.		<ul style="list-style-type: none"> ● 09/29/2021: Petition for Certiorari served; ● 10/29/2021: Record filed with the Circuit; ● 12/09/2021: Petitioner’s brief filed; ● 01/10/2022: County’s response brief filed; ● 01/26/2022: Petitioner’s reply brief filed; ● 04/12/2022: Court rules in favor of the Pension Board, dismissing action; ● 05/27/2022: Plaintiff’s deadline to file notice of appeal expired without filing.
53	<i>Milwaukee Deputy Sheriff’s Office v. Milwaukee County</i>	20-CV-4747	OCC	Action for benefits under the Rule of 75 and the Wisconsin Supreme Court decision in <i>Milwaukee District Council 48 v. Milwaukee County</i> , 2019 WI 24.	<ul style="list-style-type: none"> ● 01/24/2022: Plaintiff requested a status conference with Judge Foley in light of the Pension Board’s decision. ● 05/24/2022: Plaintiff filed a “Motion for Relief” from seeking relief from the court’s order dismissing the case for failure to exhaust administrative remedies; ● 06/22/2022: County filed response objecting to Plaintiff’s motion; ● 06/29/2022: Court status conference scheduled.

³ In addition to pension matters filed in state and federal court, numerous appeals have been filed with the Pension Board. The OCC and outside counsel, namely Reinhart, collaborate to prepare appeal materials for the Pension Board’s review.

Miscellaneous Litigation

	<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Case Status</u>
54	<i>Milwaukee County v. Amerisourcebergen Drug Corp, et al.</i> (Opioid Litigation)	E.D. Wis. 18-CV-403 (Transferred case) 17-MD-2804 (Lead MDL Case)	Mallery & Zimmerman, et al.	Public Nuisance; RICO; Deceptive Trade Practices; Negligence, Negligent Misrepresentation; Negligence per se; Fraud; Fraudulent Misrepresentation; Unjust enrichment	<ul style="list-style-type: none"> • 03/14/2018: Complaint filed; • 04/11/2018: Transferred to N.D. Ohio for inclusion in Multi-District Litigation Case No. 2804; • 09/26/18: Pretrial conference in Chicago; • 12/17/2018: Discovery responses from the County completed; • 03/16/2019: Deadline to amend complaint; • 08/06/2019: Court held a “fairness hearing” to determine whether to certify a negotiating class of political subdivisions, which includes cities and counties; • 09/19/2019: Court entered order certifying negotiating class and naming Milwaukee County as one of the negotiating class representatives; • A tentative settlement agreement of \$26 billion was reached for the nationwide opioid litigation with drug maker Johnson & Johnson and wholesale distributors, McKesson Corporation, Cardinal Health and AmerisourceBergen. This settlement is pending approval of terms and conditions by states and local municipalities; • 12/21/2021: Settlement agreement signed including defendants’ agreement to pay Milwaukee County \$71 million.

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55	<i>In the Matter of the Burial Site Disturbance Permit Application of Froedtert Hospital</i>	State of Wisconsin – Division of Hearings and Appeals Case No. SHS-13-0001	OCC	Miscellaneous Litigation	<ul style="list-style-type: none"> • Petition granted by the State.
56	<i>MDSA, et al. v. Milwaukee County, et al.</i>	20-CV-1215 Court of Appeals No. 20-AP-2028	OCC	Declaratory judgment re public records request for IA investigations regarding officer involved fatal accident	<ul style="list-style-type: none"> • 02/13/2020: Complaint filed; • 03/23/2020: Answer filed; • 05/28/2020: Scheduling conference held; • 06/12/2020: Plaintiff’s Brief in Support of Non-Disclosure of Records filed; • 07/10/2020: Defendant’s Brief in Support of Disclosure of Records filed; • 07/24/2020: Plaintiff’s reply brief filed; • 09/09/2020: Oral ruling discussed; • 10/22/2020: Status conference held; certain documents to be released while others protected per court order; • 12/04/2020: Notice of appeal filed; • 12/09/2020: Docketing statement filed; • 03/23/2021: Appellant brief filed; • 04/22/2021: Respondent’s (MDSA) brief filed; • 04/22/2021: County/Sheriff statement of no interest filed; pending court ruling; • 10/12/2021: Court of appeals decision reversing and remanding circuit court decision denying mandamus;

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					parties await circuit court to schedule hearing to address court of appeals decision and next steps.
57	<i>Brian Kreuzinger, et al. v. Milwaukee County, et al. (aka Estabrook dam case)</i>	E.D. Wis. 19-CV-1747	Crivello Carlson OCC	Class action regarding Estabrook dam	<ul style="list-style-type: none"> • 07/09/2018: This is the follow-up companion case to the <i>Riverkeeper</i> case noted above. Damages will likely be for diminution in property value due to the demolition of the dam; • 11/27/2019: Complaint filed; • 02/10/2020: Answer filed; • 05/22/2020: Brief in opposition of motion to certify class filed; • 09/18/2020: County’s reply brief in support of motion to bar plaintiff’s expert filed, pending decision; • 03/22/2021: Plaintiff’s motion to certify class denied; County’s motion to bar plaintiff’s expert denied, pending scheduling order; • 07/13/2021: Status conference held; • 03/14/2022: County’s motion for summary judgment and motion to quash and plaintiff’s motion for partial summary judgment filed; • 03/16/2022: Motion to restrict document and joint rule 7(h) expedited non-dispositive motion to adjourn remaining deadlines in trial scheduling order filed; • 03/17/2022: County’s and plaintiff’s motion for summary judgment denied; County’s motion to restrict document granted; joint motion to adjourn remaining deadlines in trial scheduling order granted; parties to file a status update in 30 days;

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					<ul style="list-style-type: none"> • 04/01/2022: Motions in limine and daubert motion adjourned; • 04/12/2022: Final pre-trial conference adjourned; • 04/15/2022: Plaintiff's brief in opposition to County's motion to quash and joint status report filed; • 04/18/2022: Jury trial adjourned; • 05/05/2022: County's motion for summary judgment and plaintiff's motion for partial summary judgment filed; • 06/03/2022: County and plaintiff's brief in opposition of motion for partial summary judgment filed; • 06/17/2022: County and plaintiff's reply briefs filed; • 08/22/2022: Final settlement report deadline; • 09/23/2022: Motions in <i>limine</i> and Daubert motions deadline; • 09/28/2022: Final/joint pretrial report deadline; • 10/04/2022: Final pretrial conference scheduled; • 10/11/2022: Jury trial scheduled.

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58	<i>Journal Sentinel, Inc. v. Milwaukee County Sheriff's Office</i>	20-CV-5445 Court of Appeals No. 21-AP-615	OCC	Petition for Writ of Mandamus for the request of records regarding Froedtert Hospital parking lot death	<ul style="list-style-type: none"> • 09/11/2020: Complaint filed; • 12/10/2020: Answer filed • 01/12/2021: Motion to quash writ of mandamus and brief in support filed; • 03/01/2021: Motion hearing rescheduled to 03/10/2021 and held; • 03/25/2021: Motion to quash writ of mandamus denied; • 04/02/2021: Notice of appeal filed; • 04/08/2021: Docketing statement filed; • 05/12/2021: Motion to stay judgment pending appeal held; rescheduled for 06/07/2021; • 06/30/2021: County's statement of no position filed; • 07/01/2021: Appellant brief filed; • 08/04/2021: Respondents' brief filed; • 08/19/2021: Appellant's reply brief filed, awaiting decision.
59	<i>Martin Hying v. John Barrett</i>	21-CV-6870 Court of Appeals No. 22-AP-45	OCC	Petition for Writ of Mandamus for the request of records	<ul style="list-style-type: none"> • 11/08/2021: Complaint filed; • 01/03/2022: Court order dismissing petition for writ of mandamus and alternative writ of mandamus; • 01/10/2022: Notice of docketing of appeal filed; • 03/08/2022: Appellant's brief filed; • 04/27/2022: Respondent's brief filed; • 04/28/2022: Respondent's motion for costs, fees and attorney fees because this appeal is frivolous filed; • 05/16/2022: Appellant's reply brief filed, awaiting decision.

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60	<i>Elizabeth Perry v. MCSO</i>	22-SC-8752	OCC	Small claims	<ul style="list-style-type: none"> • 04/08/2022: Complaint filed; • 04/25/2022: Return hearing held; matter set for contested hearing on 06/01/2022; • 04/25/2022: County's motion to dismiss filed; • 06/01/2022: Motion hearing scheduled and held; County's motion to dismiss granted, case dismissed with prejudice; • 06/16/2022: Plaintiff's deadline to appeal expired without filing.
61	<i>William Robert Shaw v. Doctor Robert T. McQueeney, et al.</i>	22-CV-1255	OCC	Medical Malpractice/ Chapter 655	<ul style="list-style-type: none"> • 02/25/2022: Complaint filed; • 05/17/2022: County's motion to dismiss filed; • 05/19/2022: Status conference scheduled and held; plaintiff to complete service by 07/11/2022; • 09/07/2022: Motion hearing scheduled to hear oral arguments on the motions to dismiss.
62	<i>John R. Nelson v. County of Milwaukee</i>	22-CV-2605	OCC	Declaratory Judgment re a violation of the Collective Bargaining Agreement, Section 3.05(2)(e) in regard to health insurance	<ul style="list-style-type: none"> • 04/29/2022: Complaint filed; • 06/13/2022: Answer filed.

Claims That Have Yet to Be Filed in Court

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63	<i>Estate of Jose L. Torres, Jr.</i>	Notice of Claim	OCC	10/27/2017 inmate death	<ul style="list-style-type: none"> 02/23/2018: Notice of claim filed concerning claims against Milwaukee County and Armor Correctional Health Services, Inc. for inadequate medical care and staffing. 01/09/2019: In-custody death report completed.
64	<i>Estate of Clarence Wilson, Jr.</i>	Notice of Claim	OCC	08/29/2017 inmate death	<ul style="list-style-type: none"> 12/22/2017: Notice of claim filed concerning claims against Milwaukee County and Armor Correctional Health Services, Inc. for deliberate indifference to serious medical needs.
65	<i>Estate of Brian Keith Collins</i>	Notice of Injury Lawsuit has commenced.	OCC	12/18/2018 inmate death	<ul style="list-style-type: none"> 03/22/2019: Notice of injury filed concerning claims against Milwaukee County and Armor Correctional Health Services, Inc. for negligence and deliberate indifference to serious medical needs.
66	<i>Veronica Watkins</i>	Notice of Injury	OCC	01/25/2020 auto accident involving deputy sheriff	<ul style="list-style-type: none"> 02/10/2020: Notice of injury filed by passenger in car for injuries and damage where driver killed, deputy sheriff involved accident; 09/27/2021: Notice of claim served on Milwaukee County Sheriff's Office from Hupy and Abraham law firm on behalf of passenger Veronica Watkins.
67	<i>Larance McMorris</i>	Notice of Injury	OCC	04/30/2017 inmate overdose death	<ul style="list-style-type: none"> 07/26/2017: Notice of injury filed concerning claims against Milwaukee County House of Correction (HOC) for negligence with regard to medication procedures within the HOC.
68	<i>Paulette Laster</i>	Notice of Claim	OCC	07/01/2020 death of Myles Elliot Laster	<ul style="list-style-type: none"> 09/29/2020: Notice of claim filed alleging 911 operator's not providing services.

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69	<i>Robert K. Wells</i>	Notice of Circumstances of Injury	OCC	12/12/2020 auto accident involving deputy sheriff	<ul style="list-style-type: none"> 01/04/2021: Notice of claim filed by Milwaukee County Sheriff's Deputy alleging an accident while on duty involving a citizen which caused injuries and damages.
70	<i>Metlife Auto Insurance on behalf of David Bradley</i>	Notice of Claim	OCC	12/09/2020 auto accident involving deputy sheriff	<ul style="list-style-type: none"> 01/07/2020: Notice of claim filed alleging an accident involving Milwaukee County Sheriff's Deputy.
71	<i>Michael Truax</i>	Notice of Circumstances of Injury	OCC	12/27/2020 auto accident involving deputy sheriff	<ul style="list-style-type: none"> 01/21/2021: Notice of claim filed by Milwaukee County Sheriff's Deputy alleging an accident while on duty involving a citizen causing injuries and damages; Settlement of all claims.
72	<i>Manvinder Singh</i>	Notice of Circumstances of Injury	OCC	12/12/2020 auto accident involving deputy sheriff	<ul style="list-style-type: none"> 01/27/2021: Notice of claim filed by Milwaukee County Sheriff's Deputy alleging an accident while on duty involving a citizen which caused injuries and damages; Settlement of all claims.
73	<i>Jane Doe</i>	Notice of Injury	OCC	September 2020 to January 2021 inmate assault at the Milwaukee County Jail	<ul style="list-style-type: none"> 02/26/2021: Notice of claim filed alleging sexual assault by a Milwaukee County Jail Corrections Officer.
74	<i>Estate of Nicholas Stadtmueller</i>	Notice of Claim not yet received	OCC	01/08/2020 inmate death	<ul style="list-style-type: none"> 01/22/2020: Received requests to preserve evidence and public records requests regarding death in Milwaukee County Jail.
75	<i>Estate of Nicholas Sonsthagen</i>	Notice of Claim not yet received	OCC	03/14/2021 inmate death	<ul style="list-style-type: none"> 03/20/2021: Received requests to preserve evidence and public records requests regarding death in Milwaukee County Jail.

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76	<i>Estate of Joseph Behling</i>	Notice of Injury and Claim	OCC	11/27/2020 inmate death	<ul style="list-style-type: none"> 03/22/2021: Notice of Injury and Claim alleging claims against the Milwaukee County Sheriff's Department and Milwaukee County Jail for failure to adhere to standards, policies, and procedure in regard to inmates with mental and emotional health needs.
77	<i>Tinesha Jarrett</i>	Notice of Tort Claim	OCC	12/10/2020 alleged premature release from Behavioral Health	<ul style="list-style-type: none"> 04/05/2021: Notice of Claim alleging that a Behavioral Health patient was released prematurely resulting in the patient being shot several times by a Wauwatosa Police officer.
78	<i>David Townsend</i>	Notice of Claim	OCC	05/21/2020 alleged wrongful termination of former Department of Corrections employee	<ul style="list-style-type: none"> 04/12/2021: Notice of Claim alleging that a former Department of Corrections employee lost his career, income and benefits as a result of the alleged defamatory statements made by a Milwaukee County Sheriff's Deputy.
79	<i>Alyssa Mack</i>	Notice of Injury and Claim	OCC	05/02/2020 use of force incident.	<ul style="list-style-type: none"> 08/31/2020: Notice of Injury and Claim alleging that Claimant was stopped for speeding on the freeway by a MCSO deputy. Upon check of her license, it was discovered that her license was suspended so the deputy informed her that her car had to be towed and he needed her keys. When the claimant refused, she was allegedly grabbed by the deputies, forced to the ground, and kned in the ribs.
80	<i>Lincoln Fowler</i>	Notice of Claim	OCC	Overbilling of water for Colectivo Coffee Roasters since June 2001	<ul style="list-style-type: none"> 07/14/2021: Notice of Claim alleging that Claimant (Colectivo Coffee Roasters) has been overbilled for water consumption due to the County's incorrect calculations.

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81	<i>Timothy Reymer</i>	Notice of Circumstances of Injury	OCC	09/12/2021 auto incident involving deputy sheriff	<ul style="list-style-type: none"> 11/08/2021: Notice of Circumstances of Injury alleging that Claimant was injured while on duty conducting a traffic stop by being dragged thirty feet by his arm after reaching into the vehicle to retrieve keys after multiple commands to turn off the vehicle were ignored.
82	<i>Antonio Perez-Mojica</i>	Notice of Circumstances of Claim	OCC	12/02/2021 pedestrian struck by County vehicle	<ul style="list-style-type: none"> 12/22/2021: Notice of Circumstances of Claim alleging that Claimant was struck by a County owned vehicle while crossing the street in a marked crosswalk causing property damage and severe and permanent personal injuries.
83	<i>Twannia Tolefree</i>	Notice of Claim	OCC	10/05/2019 slip and fall at the Domes	<ul style="list-style-type: none"> 02/23/2022: Notice of Claim alleging that Claimant slipped and fell on water accumulating from a leak in the Show Dome ceiling causing permanent injuries.