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Request to Approve Settlement of Litigation Lloyd Johnson v. Milwaukee County, et al, Case No. 18-CV-1322 (Milwaukee County Circuit Court), by recommending adoption of the following:

A RESOLUTION

WHEREAS, plaintiff Lloyd N. Johnson (the Plaintiff) brought suit seeking damages for severe self-inflicted injuries he suffered while he was a patient at the Mental Health Complex in March 2012; and

WHEREAS, Plaintiff originally filed suit in Federal court seeking relief under Section 1983, 42 United States Code but his Federal claims were dismissed on summary judgment, and that dismissal was upheld on appeal; and

WHEREAS, while his Federal appeal was pending, the Plaintiff commenced a lawsuit in State of Wisconsin court captioned, *Lloyd Johnson v. Milwaukee County, et al*, Milwaukee County Circuit Court (the Court) Case No. 18-CV-1322 (the Action), against Milwaukee County (the County), and certain of his healthcare providers, among others, and, after the County successfully moved to dismiss various causes of action, two negligence claims remained; and

WHEREAS, the parties' counsel engaged in good faith negotiations of the Action and arrived at a settlement of the Action, which represents a compromise of the Plaintiff's claims and the County's defenses, pursuant to which the County will pay the Plaintiff the sum of \$50,000, in exchange for a release of all claims and the dismissal of the Action with prejudice, with the exception of reserving to the Plaintiff a right to appeal the court's November 24, 2020, decision dismissing his breach of contract claim against the County, Thomas Harding, and David Macherey; and

WHEREAS, Corporation Counsel, Office of Corporation Counsel, and outside counsel recommend this settlement; and

WHEREAS, the Committee on Judiciary, Law Enforcement, and General Services, at its meeting of July 15, 2022, recommended adoption of File No. 22-815 (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby approves the \$50,000 settlement payment to plaintiff Lloyd N. Johnson (the Plaintiff) consistent with the report and fiscal note contained in this file; and

43 BE IT FURTHER RESOLVED, the County Board hereby authorizes the County
44 Executive, Office of the Comptroller, County Clerk, Office of Corporation Counsel, and
45 any other Milwaukee County official deemed necessary to prepare and execute all
46 documents, instruments, agreements or otherwise, and to perform all actions necessary
47 to complete the settlement with the Plaintiff; and

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49 BE IT FURTHER RESOLVED, the sum of up to \$50,000 is authorized to be paid
50 from the Litigation Reserve Fund.

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