

**INTEROFFICE COMMUNICATION  
COUNTY OF MILWAUKEE**

DATE: January 10, 2014

TO: Theodore Lipscomb Sr., Chairman  
Committee on Judiciary, Safety and General Services

Willie Johnson & David Cullen, Co-Chairmen  
Committee on Finance, Personnel and Audit

FROM: Mark A. Grady, Deputy Corporation Counsel

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 (stay of case until March 14, 2014)
2. *MDSA v. Milwaukee County* (overturn arbitration award on 2012 deputy layoffs)  
Case No. 12-CV-1984 (circuit court affirmed award)
3. Retiree health plan (co-pays, deductibles, etc.) cases:  
*Estate of Hussey v. Milwaukee County* (Retiree health)  
Case No. 12-C-73 (U.S. District Court ruled in County's favor, appealed by Hussey to U.S. Seventh Circuit Court of Appeals)  
*MDSA prohibited practice complaint*  
WERC Case No. 792 No. 71690 MP-4726  
*Rieder & MDSA v. Milwaukee County*  
Case No. 12-CV-12978  
*DC48 prohibited practice complaint*  
WERC Case No. 762 No. 70685 MP-4657  
*DC48 et al. v. Milwaukee County et al.*  
Case No. 12-CV-13612 (stayed pending outcome of *Hussey* case)
4. 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; Petition for Review filed with Supreme Court)  
*DC48 et al. v. Milwaukee County et al.*  
Case No. 12-CV-13612 (stayed pending outcome of case above)

5. 1.6% Pension Multiplier cases:  
*Stoker & FNHP v. Milwaukee County*  
Case No. 11-CV-16550 (Court of Appeals ruled against County, petition for review filed by County with Supreme Court)  
*AFSCME v. Milwaukee County*  
Case No. 12-CV-9911 (stayed pending *Stoker* appeal)  
*Brillowski & Trades v. Milwaukee County*  
Case No. 12-CV-13343 (stayed pending *Stoker* appeal)
6. *Wosinski et al. v. Advance Cast Stone et al.* (O'Donnell Park)  
Case No. 11-CV-1003 (Jury Verdict)
7. *Christensen et al. v. Sullivan et al.*  
Case No. 96-CV-1835
8. *Milwaukee Riverkeeper v. Milwaukee County* (Estabrook dam)  
Case No. 11-CV-8784
9. *Milwaukee County v. Federal National Mortgage Ass'n. et al.* (transfer taxes)  
Case No. 12-C-732 (U.S. District Court ruled against County, **U.S. Seventh Circuit Court of Appeals affirmed dismissal**)
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. *FNHP, AMCA & AFSCME v. Milwaukee County and ERS*  
Case No. 13-CV-3134 (backdrop modification)
13. *Roeschen's Healthcare LLC v. Milwaukee County*  
Case No. 13-CV-3853 (court ordered records produced; attorneys' fee issue remaining)
14. *MTS v. Milwaukee County*  
Case No. 13-CV-7234 (court ordered records produced; attorneys' fee issue remaining)
15. *Madison Teachers Inc. v. Walker*  
Dane County Circuit Court Case No. 11-CV-3774 (Act 10)
16. *Orlowski v. Milwaukee County*  
Case No. 13-C-994 (E.D. Wis.)(2007 death of inmate in HOC)