

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: May 27, 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 hearing October 2, 2015)
2. *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. Purchase of Pension Service Credit cases:

Angeles et al. v. Milwaukee County et al.
Case No. 14-CV-6674 (E.D. Wis. federal court)(retirement benefits resolved; dispute remains on attorneys' fees)

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)
4. *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)
5. *Christensen et al. v. Sullivan et al.* (jail population and health care)
Case No. 96-CV-1835

6. *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; **county filed motion to proceed with repairs**)
7. *Midwest Development Corporation v. Milwaukee County* (Crystal Ridge)
Case No. 12-CV-11071 (**court dismissed both side's claims; possible appeal**)
8. Froedtert Hospital petition to disturb burial sites – petition granted by State.
9. *Orlowski v. Milwaukee County* (2007 death of inmate in HOC)
Case No. 13-C-994 (E.D. Wis. federal court; trial November 2, 2015)
10. *Jane Doe v. Milwaukee County* (sexual assault by CO in jail)
Case No. 14-CV-200 (E.D. Wis. federal court; jury trial September 12, 2016)
11. *AFSCME, DC48 v. Milwaukee County* (laid off housekeepers)
Case No. 14-C-340 (E.D. Wis. federal court)(**discovery extended to October; dispositive motions deadline extended to November**)
12. *Physiogenix v. Milwaukee County, WE Energies et al* (Research Park power)
Case No. 14-CV-1780 (final pre-trial conference February 16, 2016; **motions for summary judgment filed**)
13. *Tanya Weyker v. Quiles et al* (MVA; false arrest and cover-up claims)
Case No. 14-CV-782 (E.D. Wis. federal court)(claim settled except for attorneys' fees to be decided by court following briefing; **conference and possible decision on fees on August 13, 2015**)
14. *Aikin v. Milwaukee County* (sex and retaliation discrimination)
ERD Case Nos. 2006-01096; 2011-04458 (hearing postponed, date not yet set)
15. *Johnson v. Milwaukee County et al.* (patient care at BHD)
14-CV-1408 (E.D. Wis. federal court)
16. *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)(motion hearing June 26, 2015)
17. *MDSA & Sheriff Clarke v. Milwaukee County* (hiring deputies)
Case No. 15-CV-786 (motion to dismiss hearing June 22, 2015)
18. Estate of James Perry v. Wenzel et al. (death in booking room of jail)
Case No. 12-C-664 (E.D. Wis. federal court)