

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: September 3, 2015, 2015

TO: Anthony Staskunas, Chairman
Committee on Judiciary, Safety and General Services

Willie Johnson & James Schmitt, 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 December 18, 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; **Court of Appeals affirmed decision in County's favor**)
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)(**court mediation on July 27, 2015**)

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; appeals 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 adjourned, status conference December 18, 2015**)
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 now May 16, 2016**)
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; **summary judgment hearing July 9, 2015**)
13. *Tanya Weyker v. Quiles et al (MVA; false arrest and cover-up claims)*
Case No. 14-CV-782 (E.D. Wis. federal court)(**awaiting court decision on plaintiff's claim for attorneys' fees**)
14. *Aikin v. Milwaukee County (sex and retaliation discrimination)*
ERD Case Nos. 2006-01096; 2011-04458 (hearing October 27-30, 2015)
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 (**circuit court affirmed validity of legislation establishing lakeshore; POP announced no appeal**)
17. *MDSA & Sheriff Clarke v. Milwaukee County (hiring deputies)*
Case No. 15-CV-786 (**circuit court dismissed case; Sheriff appealed; MDSA filed complaint with WERC**)
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)

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19. *Nenn et al. v. Milwaukee County Board of Supervisors (open meetings)*
Case No. 15-CV-5131
20. *Lang v. Milwaukee County et al. (sexual harassment)*
Case No. 15-C-1004 (E.D. Wis. federal court)
21. *Archer v. Chisholm et al. (John Doe)*
Case No. 15-C-922 (E.D. Wis. federal court)