

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: January 19, 2016

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

Willie Johnson & James Schmitt, Co-Chairs
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 January 14, 2016)
2. *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)
3. *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)
4. *Christensen et al. v. Sullivan et al.* (jail population and health care)
Case No. 96-CV-1835
5. *Milwaukee Riverkeeper v. Milwaukee County* (Estabrook dam)
Case No. 11-CV-8784 (court found dam a nuisance and ordered repair or removal; **status conference June 30, 2016**)
6. *Midwest Development Corporation v. Milwaukee County* (Crystal Ridge)
Case No. 12-CV-11071 (court dismissed both side's claims; **Midwest filed appeal; cross-appeal will be filed per File No. 15-379**)
7. Froedtert Hospital petition to disturb burial sites – petition granted by State.

8. *Orlowski v. Milwaukee County* (2007 death of inmate in HOC)
Case No. 13-C-994 (E.D. Wis. federal court; **County motion for summary judgment filed**; trial May 16, 2016)
9. *Jane Doe v. Milwaukee County (sexual assault by CO in jail)*
Case No. 14-CV-200 (E.D. Wis. federal court; **County motion for partial summary judgment filed**; jury trial September 12, 2016)
10. *Aikin v. Milwaukee County (sex and retaliation discrimination)*
ERD Case Nos. 2006-01096; 2011-04458 (hearing October 27-30, 2015; post-hearing briefs being filed by end of April)
11. *Johnson v. Milwaukee County et al. (patient care at BHD)*
14-CV-1408 (E.D. Wis. federal court)
12. *MDSA & Sheriff Clarke v. Milwaukee County (hiring deputies)*
Case No. 15-CV-786 (circuit court dismissed case; Sheriff appealed, **appeal briefs completed**; MDSA filed complaint with WERC)
13. *Estate of James Perry v. Wenzel et al. (death in booking room of jail)*
Case No. 12-C-664 (E.D. Wis. federal court; **County motion for summary judgment filed**)
14. *Nenn et al. v. Milwaukee County Board of Supervisors (open meetings)*
Case No. 15-CV-5131 (**scheduling conference January 21, 2016**)
15. *Lang v. Milwaukee County et al. (sexual harassment)*
Case No. 15-C-1004 (E.D. Wis. federal court)
16. *Archer v. Chisholm et al. (John Doe)*
Case No. 15-C-922 (E.D. Wis. federal court)
17. *Lipscomb v. Abele (County Board and Executive authority)*
Case No. 15-CV-8664 (**Abele motion to dismiss hearing February 29, 2016**)