


**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: January 12, 2018

TO: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors

FROM: Colleen Foley, Deputy Corporation Counsel 

SUBJECT: *Estate of Brandon T. Johnson, et al. v. Milwaukee County*

I respectfully request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. Specifically, the Office of Corporation Counsel requests authority to settle the claims of the plaintiff, the *Estate of Brandon T. Johnson, et al.*, for the total sum of \$1,400,000 to be paid from the Risk Management reserve fund. Please be advised that the proposed settlement amount is inclusive of the estate's attorney's fees and costs.

This is a civil rights claim brought against Milwaukee County concerning the death of Brandon Johnson on October 6, 2012 at the Milwaukee County Behavioral Health Division. In 2016, the Estate filed suit in the Eastern District of Wisconsin. The case is assigned to District Judge Lynn Adelman and is in the discovery phase with no set trial date at this time. Mr. Johnson's death was also the subject of a week-long John Doe hearing, which did not result in the issuance of criminal charges by the District Attorney's Office.

In conformance with settlement authority previously authorized by this body, the Office of Corporation Counsel, in conjunction with outside counsel Husch Blackwell and Emile Banks and Associates, recommend settlement as noted. Settlement does not include an independent contractor who examined Mr. Johnson and was required by contract to obtain his own liability insurance. That matter remains outstanding and does not include Milwaukee County.

It is recommended that further questions concerning this case and settlement matters be addressed in closed session by Corporation Counsel and outside counsel Emile Banks.