

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: November 15, 2018

TO: Theodore Lipscomb, Sr., Chair, Milwaukee County Board of Supervisors
Anthony Staskunas, Chair, Committee on Judiciary, Safety and General Services
James Schmitt, Chair, Committee on Finance and Audit

FROM: Anne Kearney, Deputy Corporation Counsel *AK*

SUBJECT: Claim and Litigation Settlement Informational Report

Pursuant to the Office of Corporation Counsel's June 7, 2018 Legal Opinion (see file No. 18-25), the County has delegated settlement authority to WCMIC through its insurance contract. However, to ensure that the Board is fully aware of all such settlements, the OCC now reports all WCMIC-controlled litigation settlements and WCMIC-controlled claim resolutions. In addition, when applicable, this report will include resolutions of legal disputes covered under other County insurance policies. Also in this report, Supervisors will find a listing of the resolutions of legal claims where the County was a plaintiff, which do not require County Board approval under applicable statutes, as well as legal claims that require the County Board's approval (with the corresponding file number) of any resolution. Together, this report ensures that Supervisors have a complete picture of all legal claim settlements or other resolutions, irrespective of the Board's authority over those resolutions.

1. **WCMIC-Controlled Litigation Settlements**

None in this cycle.

2. WCMIC-Controlled Claim Resolutions

<u>Claimant Name</u>	<u>Investigator</u>	<u>Type of Action</u>	<u>Settlement Amount</u>	<u>Claim Year</u>	<u>Payor</u>
Amanda Lashua	Ryan Anderson	Property Damage	\$1,095.70	2017	Milwaukee County
Alexander Grill	Ryan Anderson	Property Damage	\$799.35	2018	Milwaukee County

3. Settlements Covered Under Other Insurance Policies

None this cycle.

4. Settlements Where County Is Plaintiff

None this cycle.

5. Settlements Pending Where County Board Approval Is Required (with corresponding File No.)

<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Settlement Amount</u>	<u>Payor</u>	<u>Registrar File No.</u>
<i>Susan L. Baldwin, et al. v. Milwaukee County and Employees' Retirement System of the County of Milwaukee</i>	Appeal No. 16-AP-2380 Milw. Cnty. Case No. 15-CV-9354	Lindner & Marsack	Proposed settlement to resolve dispute where retired employee prevailed in Court of Appeals, concerning her purchase of service credit that resulted in pension overpayment of over \$223,000.00.	\$174,420.00	Milwaukee County	18-905
<i>James Kubicek LCSW v. Milwaukee County Behavioral Health Division, et al.</i>	Milw. Cnty. Case No. 16-CV-1031	Lindner & Marsack	Proposed settlement where employee prevailed in jury trial on his discharge after he had become probationary pool employee to obtain Rule of 75 benefit while full time employee elsewhere.	\$350,000.00	Milwaukee County	18-906