

File No. 18-25

INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE

DATE: December 21, 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 Berleman Kearney, Deputy Corporation Counsel *AWL*

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 Office of Corporation Counsel ("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. In this report as well, Supervisors will find a listing of the resolution 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. Further, settlement negotiations in other cases may be ongoing, but not yet reported here given the dynamic nature of litigation. The intent of this report is to ensure that Supervisors have a complete picture of all legal claim settlements or other resolutions, regardless of the Board's authority over those resolutions.

1. WCMIC-Controlled Litigation Settlements

| Case Name | Case Number | Firm | Description | Settlement Amount | Claim Year | Payer |
|--|--------------------------------------|------|--|-------------------|------------|------------------|
| <i>Harold Mehlberg, et al. v. Wisconsin County</i> | Milwaukee County Case No. 17-CV-1500 | OCC | Personal injury where a Milwaukee County Sheriff's Office squad car on I-94 drove into a WE Energies highway worksite, causing Plaintiff who | \$135,000 | 2014 | Milwaukee County |

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|---|------------------------------------|-----|---|-------------|------|------------------|
| <i>Mutual Insurance Corporation, et al.</i> | | | was working at the site, to hurt his shoulder, ultimately resulting in rotator cuff surgery. | | | |
| <i>Latoria Armstrong v. Milwaukee County</i> | E.D. Wis. Case No. 18-CV-0007 | OCC | FLSA and 42 U.S.C. section 1983 causes of action alleging the County failed to provide access to a location to express breast milk. | \$7,000.00 | | Milwaukee County |
| <i>Rod Sieffen v. Milwaukee County, et al.</i> | E.D. Wis. Case No. 16-CV-7217 | OCC | Section 1983 litigation regarding false arrest in 2015. | \$750.00 | 2015 | Milwaukee County |
| <i>Tammatha Porter-Velasco v. Blaine Bukowski, et al.</i> | Milwaukee County Case No. 18CV6189 | OCC | Personal injury matter wherein plaintiff alleges she was a passenger in a car that was rear-ended by a highway department vehicle while stopped in traffic. | \$20,000.00 | 2015 | Milwaukee County |

2. WCMIC-Controlled Claim Resolutions

| Claimant Name | Investigator | Type of Action | Settlement Amount | Claim Year | Payer |
|------------------------|---------------------|-----------------------|--------------------------|-------------------|------------------|
| Triple Transport, Inc. | Ryan Anderson | Property Damage | \$1,095.70 | 2017 | 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.)

None this cycle.