

File No. 19-13

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: February 8, 2019

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



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

<u>Case Name</u>	<u>Case Number</u>	<u>Firm</u>	<u>Description</u>	<u>Settlement Amount</u>	<u>Claim Year</u>	<u>Payor</u>
<i>Jonathan Wylke v. Behrendt</i>	E.D. Wis. Case No. 17-CV-1639	OCC	42 U.S.C. Section 1983 action brought under the First Amendment Free Exercise Clause and the Religious Land Use and Institutionalized Persons Act of 2000,	\$350,00	2017	Milwaukee County

			42 U.S.C. § 2000cc-1 (“RLUIPA”) concerning Plaintiff’s alleged inability to practice his religion while incarcerated.				
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2. WCMIC-Controlled Claim Resolutions

None this cycle.

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.