

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: August 16, 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 *ABK*

SUBJECT: Claim and Litigation Settlement Informational Report

Pursuant to the Office of Corporation Counsel's June 7, 2018 Legal Opinion, 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") reports on a monthly basis all WCMIC-controlled litigation settlements and WCMIC-controlled claim resolutions that exceed \$500.00¹ for which information is presently available. 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 and settlement. 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 Pursuant to Milwaukee County Ordinance section 1.11(c)(4)2.(d) and Wis. Stat. section 59.52(12)(b), resolutions to litigation and claims resulting in payment of \$500 or less will be reported to the Board annually.

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>Melissa Hall v. Milwaukee County, et al.</i> (delivery of baby while restrained)	E.D. Wis. 17-CV-379	Husch Blackwell	Section 1983 – <i>Monell</i> claim against Milwaukee County for constitutionally infirm policy or practice causing	\$27,500	2013	Milwaukee County
<i>Sandra Robles v. Milwaukee County, et al.</i> (delivery of baby while restrained)	E.D. Wis. 18-CV-1328	Husch Blackwell	Section 1983- <i>Monell</i> claim against Milwaukee County and due process claim	\$27,500	2014	Milwaukee County

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>
K. Ristow	Ryan Anderson	Property damage to parked vehicle	\$2,581.27	2019	Milwaukee County
K. Ristow	Ryan Anderson	Property damage to parked vehicle	\$1,807.69	2019	Milwaukee County
Enterprise	Ryan Anderson	Property damage to vehicle and bodily injury	\$52,515.46	2018	Milwaukee County
K. Reed	Ryan Anderson	Detention/ imprisonment	\$5,000.00	2017	Milwaukee County
City of Franklin	Ryan Anderson	Property damage	\$5,545.88	2019	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>Claim Year</u>	<u>Payor</u>	<u>File No.</u>
<i>Jennifer L. Aleman v. Employees' Retirement System of the County of Milwaukee; Jennifer L. Aleman v. Pension Board of the Employees' Retirement System of the County of Milwaukee, et al.</i>	Case No. 18-CV-6291; Case No. 18-CV-9215	OCC	Mandamus action and petition for certiorari for review of correct survivorship pension benefit amount	\$41,000	2012	Milwaukee County	19-715