

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: February 21, 2020

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>Michael Lohr, et al. v. Wisconsin County Mutual Insurance Corp.</i>	Milwaukee County 18-CV-10514	OCC/Outside Counsel	Plaintiff injured while operating a squad vehicle. County is involuntary plaintiff due to payment of health/worker's comp benefits.	\$12,000	2017	Milwaukee County
<i>Estate of Kristine Fiebrink v. Milwaukee County, et al.</i> (August 2016 inmate death)	E.D. Wis. 18-CV-832	Crivello Carlson; Banks and Associates	Section 1983 – Inadequate and unconstitutional health care; negligence; and wrongful death	\$300,000	2016	Milwaukee County
<i>Karen Brozovich v. Haas, et al.</i>	Milwaukee County 19-CV-1929	OCC	Auto accident involving DOT vehicle.	\$10,000	2016	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>
Forest Mayes	Ryan Anderson	Missing Property	\$2,650	2019	Milwaukee County
Charter Communications	Ryan Anderson	Property Damage	\$4,578.13	2019	Milwaukee County
Tobie Weberg	Ryan Anderson	Uninsured/under-insured Motorist	\$7,980.93	2018	Milwaukee County
Linda Pearson	Ryan Anderson	Property Damage to vehicle	\$8,808.42	2018	Milwaukee County
Yuki Lawrence	Ryan Anderson	Property Damage to vehicle	\$4,000	2019	Milwaukee County
Tierra Hoard	Ryan Anderson	Property Damage to vehicle	\$3,998.97	2019	Milwaukee County
Eugene Tuchalski	Ryan Anderson	Property Damage to vehicle	\$5,483.24	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.)

None this cycle.