

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: June 17, 2020

TO: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors
Anthony Staskunas, Chair, Committee on Judiciary, Safety and General Services
Jason Haas, 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>Audra Hale v. Milwaukee County</i>	ERD Case No. 201500109; ERD Case No. 201501523	OCC	Employee at BHD, alleging discrimination based on disability, termination due to disability, and failure to promote	\$45,000	2014	Milwaukee County (\$37,000) WCMIC (\$8,000)

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>
Aimee Tuchalski	Ryan Anderson	Bodily Injury	\$1,632.06	2019	Milwaukee County
Christina Elizondo	Ryan Anderson	Property damage to vehicle	\$7,532.49	2020	Milwaukee County
Molly Jasmer	Ryan Anderson	Property damage to vehicle	\$6,001.73	2020	Milwaukee County
Treva Cunningham	Ryan Anderson	Property damage to vehicle	\$1,036.01	2020	Milwaukee County
Rebecca Wolke	Ryan Anderson	Property damage	\$4,000.00	2020	Milwaukee County
Linda Pearson	Ryan Anderson	Bodily Injury	\$16,000.00	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>Claim Year</u>	<u>Payor</u>	<u>File No.</u>
<i>Lloyd Johnson v. Milwaukee County, et al.</i> <i>(Patient care at BHD)</i>	18-CV-1322	Hansen Reynolds	Section 1983 – Inadequate mental health care and treatment; negligence; cruel and unusual punishment; <i>Monell</i> claims.	\$50,001.00	2014	Milwaukee County	20-480