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From the Office of Corporation Counsel requesting authorization to serve an Offer of Judgment in *Lloyd Johnson v. Milwaukee County*, Case No. 2018-CV-1322, related to a 2012 injury sustained by Mr. Johnson at Milwaukee County’s Behavioral Health Division, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2012, Lloyd Johnson was a patient at Milwaukee County’s (the County) Behavioral Health Division and suffered a self-inflicted injury while at the facility; and

WHEREAS, Mr. Johnson has filed a state lawsuit against the County, *Case No. 2018-CV-1322*, in Milwaukee County Circuit Court, alleging claims of negligence on the part of employees of the County, and on the part of the County itself in permitting Mr. Johnson’s injury to occur, and, as a result, he is seeking compensatory and punitive damages; and

WHEREAS, Section 807.01(1), Wisconsin State Statutes (State Statutes), provides for an Offer of Judgment to be made by a defendant of an amount certain; and

WHEREAS, the defendant, the County, asserts that the claims alleged by Mr. Johnson are subject to the statutory cap of \$50,000 provided for in Section 893.80(3), State Statutes; and

WHEREAS, an Offer of Judgment is sought in the amount of \$50,001 to be made to Mr. Johnson; and

WHEREAS, the requested Offer of Judgment sought to be made to Mr. Johnson, who was injured, would provide him with the maximum sum that the County argues that Mr. Johnson can receive under the statutory cap, and, if Mr. Johnson does not accept the Offer of Judgment, could possibly entitle the County to Mr. Johnson’s payment of certain of the County’s costs; and

WHEREAS, the Office of Corporation Counsel, and outside counsel recommend this offer; and

WHEREAS, the Committee on Judiciary, Safety, and General Services, at its meeting of July 9, 2020, recommended adoption of File No. 20-480 (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby approves the Offer of Judgment of \$50,001 in *Lloyd Johnson v. Milwaukee County*, Case No. 2018-CV-1322, consistent with the board report and fiscal note contained in this file; and

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BE IT FURTHER RESOLVED, the County Board hereby authorizes the County Executive, Office of the Comptroller, County Clerk, Corporation Counsel, and any other Milwaukee County official deemed necessary to prepare and execute all documents, instruments, agreements or otherwise, and to perform all actions necessary to serve the offer on Mr. Johnson.

ars
07/09/20
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