

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

From Corporation Counsel, Office of Corporation Counsel, requesting authorization to settle the lawsuits *Estate of Tietjen v. Milwaukee County et al.*, Case Nos. 2012-CV-011616 and 2013-CV-003154, related to James Tietjen’s termination from employment with Milwaukee County, by recommending adoption of the following:

A RESOLUTION

WHEREAS, in 2012, James Tietjen, who was a more than 30-year-employee with Milwaukee County (the County), and a longstanding employee with the Department of Health and Human Services, had his employment terminated with the County; and

WHEREAS, Mr. Tietjen filed two State lawsuits against the County, Case Nos. 2012-CV-011616 and 2013-CV-003154, asserting breach of contract and seeking compensatory damages allegedly owed for accrued and unused hours of personal time, vacation time, sick time as well as wages; and

WHEREAS, a settlement is sought in the amount of \$65,000, to account for the alleged uncompensated-for accrued hours from the employment of Mr. Tietjen, and to allow for matters in dispute to be ended; and

WHEREAS, the terms of the settlement agreement have been incorporated into the litigation memo; and

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

WHEREAS, there are sufficient funds in Org. Unit 1961 – 2020 Litigation Reserve Account, for the amount described in this resolution; and

WHEREAS, the Committee on Judiciary, Safety and General Services, at its meeting of December 3, 2020, recommended adoption of File No. 20-912 (vote 5-0); and

WHEREAS, the Committee on Finance, at its meeting of December 10, 2020, recommended adoption of File No. 20-912 (vote 6-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby approves the settlement and payment of a settlement in the amount of \$65,000, to resolve the lawsuits *Estate of Tietjen v. Milwaukee County et al.*, Case Nos. 2012-CV-011616 and 2013-CV-003154, consistent with the report and fiscal note contained in this file utilizing funds in Org. Unit 1961 – 2020 Litigation Reserve Account; and

45 BE IT FURTHER RESOLVED, the County Board hereby authorizes the County
46 Executive, Office of the Comptroller, County Clerk, Corporation Counsel, and any other
47 Milwaukee County official deemed necessary to prepare and execute all documents,
48 instruments, agreements or otherwise, and to perform all actions necessary to settle
49 and resolve the lawsuits *Estate of Tietjen v. Milwaukee County, et al.*, Case Nos. 2012-
50 CV-011616 and 2013-CV-003154.

51

52

53

54

55

srb
12/10/2020
S:\Committees\2020\Dec\FINANCE\Resolutions\20-912 Tietjen Settlement.docx