



Legislation Details (With Text)

File #: 120844 **Version:** 0

Type: Resolution **Status:** Passed

File created: 10/16/2012 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:** 11/8/2012

Effective date:

Title: Resolution authorizing settlement of cross claims raised by codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel in the lawsuit entitled *Jude, et al. v. City of Milwaukee, et al.*

Sponsors: THE CHAIR

Indexes: POLICE DEPARTMENT, SUITS SETTLEMENT

Attachments: 1. City Attorney Letter, 2. Fiscal Impact Statement, 3. Hearing Notice List

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|-----------------------------------|--------------------------|--------|-------|
| 10/16/2012 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 10/23/2012 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 10/23/2012 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 10/23/2012 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 10/23/2012 | 0 | JUDICIARY & LEGISLATION COMMITTEE | HEARING NOTICES SENT | | |
| 10/29/2012 | 0 | JUDICIARY & LEGISLATION COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 4:0 |
| 11/8/2012 | 0 | COMMON COUNCIL | ADOPTED | Pass | 15:0 |
| 11/13/2012 | 0 | MAYOR | SIGNED | | |

120844
Original

THE CHAIR

Resolution authorizing settlement of cross claims raised by codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel in the lawsuit entitled *Jude, et al. v. City of Milwaukee, et al.*

This resolution authorizes settlement of the cross claims raised by codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel in the lawsuit entitled *Jude, et al. v. City of Milwaukee, et al.*, Case No. 06-C-1101, for the total amount of \$194,500.

Whereas, Codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel filed cross claims pursuant to Wis. Stats. sec. 895.46 against the City of Milwaukee; and

Whereas, Codefendants Jon M. Bartlett, Daniel L. Masarik, Ryan P. Packard, Ryan J. Lemke, Jon V. Clausing and Joseph J. Schabel and the City of Milwaukee mediated the case and have entered into an agreement, to settle the cross claims raised by said codefendants in the above-referenced lawsuit for the total amount of \$194,500; and

Whereas, The City Attorney recommends that the City of Milwaukee settle these claims; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue City checks as follows: (1) \$95,000 made payable to "Schiro & Zarzynski Trust Account"; (2) \$35,000 made payable to "Trust Account of Michael A.I. Whitcomb"; (3) \$28,500 made payable to "Gimbel, Reilly, Guerin & Brown, LLP Client Trust Account"; (4) \$23,000 made payable to "Grady, Hayes & Neary, LLC Client Trust Account"; (5) \$7,000 made payable to "Boyle Trust Account"; and (6) \$6,000 made payable to "Ryan Lemke and Darnieder & Geraghty", as soon as practicable, in full and final settlement of the above-described cross claims, said amounts to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300; and, be it

Further Resolved, That for and in consideration of the above-referenced payments, said codefendants will provide to the City a release of any and all claims arising out of or in any way related to the subject incident, and a stipulation for dismissal of the cross claims they raised in the pending court action.

City Attorney

SEL:wt:185410

October 9, 2012

85410/1032-2006-3071