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October 22, 2020

To the Honorable Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Substitute Resolution approving the retention of outside
counsel to pursue potential vaping litigation, CC File no. 200884

Dear Council Members:

Enclosed please find a proposed substitute resolution that fills file no. 200884 now set for hearing at the Committee on Judiciary & Legislation on Monday, October 26, 2020 at 1:30 p.m. This substitute resolution will authorize legal action on behalf of the City of Milwaukee against JUUL and other responsible defendants who are alleged to have created a public nuisance through their misleading marketing of e-cigarettes and other vaping products.

As stated in the body of the substitute resolution, the City Attorney seeks authority to enter into a contingent attorney fee agreement with the law firm of Keller Rohrback, L.L.P. Keller Rohrback currently represents multiple governmental entities across the United States in the JUUL multidistrict litigation pending in the federal district court in San Francisco. They have been named as Co-Lead Counsel appointed by the Court to help direct the JUUL MDL. In addition, the fee agreement includes retaining the MWH Law Group, L.L.P., a Milwaukee based minority owned law firm that is working with Keller Rohrback. The City will have no attorney fees or costs if there is no recovery in the law suit.



To the Honorable Common Council
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Please place this on the agenda for closed session to consult with legal counsel, to be followed by open session to take action on the resolution.

Thank you.

Very truly yours,



TEARMAN SPENCER

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MRH/cdr

Enclosure

1081-2020-1502/271930