

January 19, 2001

Ms. Anne M. Bahr, Executive Director
Employes' Retirement System
City Hall, Room 603

Re: *In Re Global Pension Settlement Litigation*
Case No. 00-CV-003439

Dear Ms. Bahr:

Charter Ordinance Common Council File No. 991585, as amended, embodying the global pension settlement sets forth seven requirements for the charter ordinance to take effect. These requirements and their status are set forth below.

1. Sixty days elapse following its passage and publication.

Status: Completed

2. The money judgments are vacated and the injunctions are dismissed in *MPA v. City, et al.*, Circuit Court Case No. 95-CV-011251; *ERS v. City*, Circuit Court Case No. 97-CV-000685; *MPA v. City, et al.*, Circuit Court Case No. 97-CV-007996.

Status: Completed

3. *Walsh v. City*, Circuit Court Case No. 99-CV-001419; and *Rehrauer, et al. v. City, et al.*, Circuit Court Case No. 98-CV-007745 are dismissed on their merits.

Status: Completed.

4. Participation in the Combined Fund is approved by 90% of the members, retired members (or survivors and beneficiaries if the member or retired member is deceased) in the retirement system representing 90% of the assets of the retirement system where there is a final and binding determination of a court of competent jurisdiction that consent of such members, retired members, survivors and beneficiaries in the retirement system is

not required for their participation in the combined fund or the Common Council by resolution waives this requirement.

Status: Waived by Common Council resolution.

5. Participation in the Combined Fund is approved by 100% of the members and beneficiaries of the Firemen and Policemen's Survivorship Fund or there is a final and binding determination by a court of competent jurisdiction that the consent of the members and beneficiaries is not required for their participation in the combined fund or the Common Council by resolution waives this requirement.

Status: Waived by Common Council resolution.

6. A Memorandum of Understanding embodying the terms of the global pension settlement is executed by the City, City agencies, representatives of collective bargaining units with employees participating in the retirement system and the Association of Retired Employees of the City of Milwaukee.

Status: Memorandum of Understanding executed and approved by the Common Council by resolution.

7. There is a determination by a court of competent jurisdiction final and binding on the rights of all members, retired members, survivors and beneficiaries of the retirement system relative to the global pension settlement declaring this charter ordinance to be legal and enforceable.

Status: Judgment declaring the charter ordinance to be legal and enforceable entered November 16, 2000. No appeal pending and the time for appeal has run.

In accordance with your request letter of November 3, 2000, and the judgment of the court, on behalf of the City of Milwaukee the undersigned hereby certifies that all of the requirements for Charter Ordinance File No. 991585 have been met and the charter ordinance is in full force and effect.

Very truly yours,

Grant F. Langley
City Attorney

Thomas E. Hayes
Special Deputy Attorney

- c: Honorable Michael Malmstadt
Ronald Leonhardt
John F. Fuchs
Gerardo H. Gonzalez

Ms. Anne Bahr

January 19, 2001

Michael J. McCabe
Charles Stevens
Timothy E. Hawks
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