

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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BRADLEY DEBRASKA, JAMES KRAFT,  
DAVID ARNDT, JAMES NISIEWICZ,  
MARK NEWELL, HARRISON KERN,  
ALAN WILKE, GREGORY SZABLEWSKI,

Plaintiffs,

Case No. 96-C-402  
(Fair Labor Standards Act)

v.

CITY OF MILWAUKEE,

Defendant.

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**ORDER ACKNOWLEDGING RECEIPT OF  
FINAL SETTLEMENT AGREEMENT AND  
COMMENCING IMPLEMENTATION  
OF TERMS OF SETTLEMENT**

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The parties have submitted to this Court a set of documents setting forth the terms and conditions of a tentative settlement of this proceeding, subject to approval by this Court and by the Wage and Hour Division of the United States Department of Labor. Specifically, the documents submitted include the following:

1. Final Settlement Agreement;
2. Revised Article 15 to the collective bargaining agreement between the City of Milwaukee (“City”) and the Milwaukee Police Association, Local No. 21, IUPA, AFL-CIO (“MPA”) (Attachment A) with attached exhibits;
3. Listing of “Time Owed and Allowed” (“LTOA”) form (Attachment B);
4. Proposed forms of Orders and Judgment to be executed by this Court during the process of implementation of the settlement (Attachments C, D, and E); and

5. Form of Memorandum of Understanding between the MPA and the City pertaining to disposition of accrued compensatory time off balances upon permanent separation from service (Appendix F).

The Court, upon review of the Final Settlement Agreement and Attachments and in light of the record of this matter, hereby issues the following

### **ORDER**

1. The aforementioned Final Settlement Agreement together with all Attachments is hereby accepted for filing with the Court.

2. The Court directs commencement of the process of implementation of the terms of settlement as set forth by the Final Settlement Agreement and Attachments, as more fully set forth in this Order and in subsequent Orders to be issued by the Court.

3. The Court, pursuant to ¶ 2 of the Final Settlement Agreement, hereby approves of the provisions of the individual forms of consent executed by the individual plaintiffs to this proceeding permitting plaintiffs' counsel, Michael T. Leibig, Esq. and/or Laurie A. Eggert, Esq., to consent on their behalves to the terms of settlement. Accordingly, all individuals who have executed individual forms of consent to join as parties-plaintiff to this proceeding incorporating such a provision as of the date of this Order are deemed by this Court to have consented to the terms of settlement as embodied in the Final Settlement Agreement (and Attachments).

4. In accordance with ¶ 18 of the Final Settlement Agreement, the Court shall conduct a hearing in order to address any objections to the fairness or reasonableness of the terms of settlement of this proceeding as embodied in the attached Final Settlement

Agreement (and Attachments). This hearing shall be held on \_\_\_\_\_,  
2002 at \_\_\_\_\_ .M. in Room \_\_\_\_\_ of the U.S. Federal Courthouse, 517 East  
Wisconsin Avenue, Milwaukee, Wisconsin 53202.

Dated at Milwaukee, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

BY THE COURT:

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HON. CHARLES N. CLEVERT  
U.S. District Court Judge

96C000141/53458