

GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
Assistant City Attorneys

July 1, 2013

The Honorable Common Council
City of Milwaukee
Milwaukee City Hall

Re: Resolution to approve settlement of the City of Milwaukee's claims against J. P. Cullen & Sons, Inc. in the matter of *City of Milwaukee v. Simpson, Gumpertz & Heger, Inc., et al*, Milwaukee County Circuit Court Case No. 12 CV 004989.

Dear Council Members:

Enclosed is Substitute Two to File No. 130163, Resolution to approve settlement of the City of Milwaukee's claims against J. P. Cullen & Sons, Inc. in the matter of *City of Milwaukee v. Simpson, Gumpertz & Heger, Inc., et al*, Milwaukee County Circuit Court Case No. 12 CV 004989. A substitute Fiscal Impact Statement is also submitted.

Substitute Two is submitted after further consultation with the Comptroller's office. The resolution will now provide that funding for the repair contract cost will come from contingent borrowing authority, which will be conferred by separate future resolution.

Very truly yours,

GRANT F. LANGLEY,
City Attorney

MIRIAM R. HORWITZ
Assistant City Attorney
Enc.MRH/MRH
1081-2012-1217:193553

c: Ghassan Korban, Commissioner of Public Works
Martin Matson, Comptroller