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July 18, 2007

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

Re: Resolution to Approve Settlement Agreement in the matter of *Alexander, et al. v. City of Milwaukee, et al*, United States District Court Case Number: 03C0611
Substitute One
File No. 07463

Dear Council Members:

Enclosed please find Substitute One, to fill file number 07463. This matter is scheduled for the Judiciary and Legislation Committee on July 23, 2007 at 1:30 p.m. in room 301-B, City Hall in closed session for purposes of conferring with the City Attorney pursuant to §19.85(1)(g), followed by open session for the regular agenda.

In addition to the substitute resolution, we enclose the settlement agreement and general release. As noted in that agreement, the proposed settlement resolves litigation between seventeen current and former lieutenants in the Milwaukee Police Department who had obtained a judgment against the City, former Chief of Police Arthur L. Jones, and six current or former members of the Fire and Police Commission. That judgment was affirmed in part, and reversed and remained in part, by the Seventh Circuit Court of Appeals on January 18, 2007. The agreement provides for a total payment of 2.65 million dollars, to all of the plaintiffs for all claims, upon execution of releases for all defendants.

It should be noted that in addition to the judgment entered by the District Court on August 29 2005, a further court order had been entered in February 2006 awarding attorney fees and cost. Thus, prior to the decision of the Court of Appeals, the City and other defendants were liable for approximately 4.3 million dollars, plus interest.

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Given the complex circumstances in this case, the City Attorney believes this settlement is in the best interests of the City, and recommends adoption of the pending resolution.

Very truly yours,

RUDOLPH M. KONRAD
Deputy City Attorney
Enc.
RMK/MRH
1032-2003-2084:121425