

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**SUSAN D. BICKERT**  
**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 R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN Z. BLOCK**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**CHRISTINE M. QUINN**  
**MARGARET C. DAUN**  
**JEREMY R. MCKENZIE**  
**MARY L. SCHANNING**  
**PETER J. BLOCK**  
Assistant City Attorneys

February 3, 2012

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

**RE: *Frank L. Jude, Jr., et al. v. City of Milwaukee, et al.,***  
**Case No. 06-C-1101**

Dear Council Members:

Enclosed is a proposed resolution and fiscal note authorizing payment of a settlement amount regarding the claims raised by Mr. Jude in the above-referenced matter. We request that the enclosed documents also be referred to the appropriate committee or committees for review.

This case stems from an event which occurred on October 24, 2004, and which involved plaintiff Frank L. Jude, Jr. and several individuals who were then employed as Milwaukee police officers. Mr. Jude claimed that those individuals used excessive force against him while acting in the scope of their employment. The City defended that those individuals did not commit the subject acts while acting in the scope of their employment, but rather that they acted to further their own personal interests, which were unrelated to their official duties.

Discovery has been completed, and the case was recently mediated before the Honorable Lynn Adelman, of the United States District Court for the Eastern District of Wisconsin. Because of the unpredictability of trial, and the City's risk of exposure to not only compensatory damages, but also to punitive damages and attorney's fees, a settlement amount was negotiated during mediation. That amount was \$2,000,000. We recommend

To the Honorable  
Common Council of the  
City of Milwaukee  
February 3, 2012  
Page 2

that this matter be settled for that amount. Consistent with our recommendation, we have enclosed an appropriate resolution for your consideration.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

SUSAN E. LAPPEN  
Assistant City Attorney

SEL:tas

Enclosures

1032-2006-3071:177843