

November 7, 2003

To the Honorable Common Council
of the City of Milwaukee
Room 205, City Hall
200 East Wells Street
Milwaukee, WI 53202

Re: (Resolution authorizing settlement and cancellation of the City of Milwaukee's subrogation claim against Jacquelyn Cross-Thompson for payments made pursuant to the City's Basic Health Plan.)

Dear Council Members:

Enclosed please find a resolution authorizing the release of a subrogation claim against Jacquelyn Cross-Thompson in exchange for a settlement payment of \$3,000.00.

Ms. Cross-Thompson filed a personal injury lawsuit for injuries suffered when an automobile struck her vehicle on November 1, 2001. The City has a claim against her for medical payments under the City's Basic Health Plan in a total amount of \$14,021.32.

As noted in the enclosed letter from counsel for WPS, the claims administrator for the Basic Health Plan, the plaintiff settled for \$60,000.00 in mediation. Due to the amount and nature of medical and special damages claimed, WPS advises that it is unlikely that a court would find that the settlement makes the plaintiff whole for her losses, and that in such circumstances the City faces the risk of no recovery in this matter.

Honorable Common Council

November 7, 2003

Page 2

Under these circumstances, WPS has recommended authorization to accept the amount of \$3,00.00 in settlement of the City's claim. We recommend adoption of this resolution.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ELLEN H. TANGEN
Assistant City Attorney

Enclosures

cc: Michael Tobin (w/encl)
Mark Colbert, WPS (w/encl)

EHT: eht

1049-2003-3203: 73107