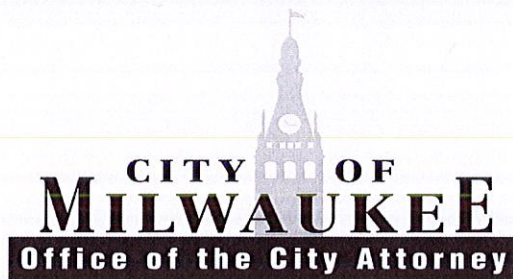


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September 12, 2023

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

Re: Resolution Authorizing Settlement in the lawsuit entitled
Arthur Ward; State of Wisconsin Department of Health Services;
Independent Care Health Plan v. City of Milwaukee, et al.
Case No. 22CV003736
C.I. File No. 1029-2022-740

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

The resolution requests settlement in the amount of \$45,000 to compensate plaintiff for damages and injuries sustained when he fell into an unrepaired and missing slab of sidewalk in the 3700 block of W. Meinecke Avenue. The sidewalk slab had been removed in November, 2018, and ultimately repaired in July, 2019, shortly after Mr. Ward fell into the unrepaired area while walking near Butterfly Park using his blind cane. Mr. Ward sustained physical injuries requiring medical treatment, and ongoing physical therapy. The parties attended mediation and tentatively agreed to settle this case for \$45,000.00 with the approval by the Common Council.

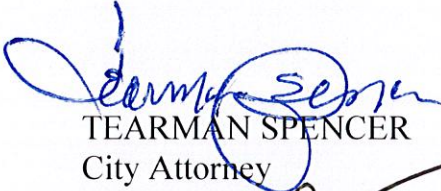
Based on the status of these claims, it is the City Attorney's recommendation that the proposed settlement is in the City's best interest. In exchange for the settlement, Mr. Ward will execute a settlement agreement and general release of all claims arising out of his lawsuit.



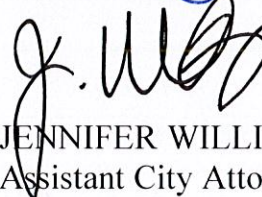
To the Honorable Common Council
of the City of Milwaukee
September 12, 2023
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This matter was previously heard and approved of in closed session by the
Judiciary and Legislative Committee on September 11, 2023.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER WILLIAMS
Assistant City Attorney

JW/cdr

Enclosures

1029-2022-740/287081