

WALGREEN COMPANY,

PLAINTIFF,

v.

CASE NO. 04-CV-6797

CITY OF MILWAUKEE,

DEFENDANT.

SETTLEMENT STIPULATION AND ORDER

Plaintiff Walgreen Company (“Walgreen”) and Defendant CITY OF MILWAUKEE (“the City”), by their undersigned counsel, stipulate as follows, as a final resolution of this action:

1. This action was brought under WIS. STAT. §74.37(3)(d), for a refund of allegedly excessive real estate taxes imposed on Walgreen by the City for the years 2002 through 2005, plus statutory interest. The taxes in issue relate to 12 parcels of real property owned by Walgreen in the City listed on the attached schedule.

2. The parties have agreed to resolve this case by reducing the City’s assessments of the Property. In furtherance of this settlement, the parties agree that the City shall remit tax refunds to Walgreen within 30 days of the date on which the Order below is executed by the Court. Such refunds shall include the principal tax on the difference between assessments for each of the years 2002 through 2005, computed at the City’s tax rates for those years’ assessed value, respectively, plus statutory interest for each year at the rate set forth in WIS. STAT. §74.37(5). This comes to a total of \$260,527.14, plus interest.

GILBERT LAW OFFICES
Attorney for Plaintiff

Dated: _____

By: _____

JAMES H. GILBERT
State Bar No. 1003033

P.O. ADDRESS:

12700 Anderson Lakes Parkway
Eden Prairie, MN 55344-7652
(952) 767-0167

CITY OF MILWAUKEE

Dated: _____

By: _____

VINCENT D. MOSCHELLA, DEPUTY CITY ATTORNEY
Wisconsin Bar No. 1016845

P.O. ADDRESS:

841 N. Broadway, Room 716
Milwaukee, WI 53202
(414) 286-2601

ORDER APPROVING SETTLEMENT STIPULATION

Upon consideration of the foregoing Settlement Stipulation, that Stipulation is APPROVED as a final resolution of this action.

3. It is ORDERED that within 30 days of the date of this Order, defendant City of Milwaukee shall remit to plaintiff Walgreen tax refunds for 2002 through 2005 on the properties on the attached schedule. Such refunds shall include the principal tax on the difference between assessments for each of the years 2002 through 2005, computed at the tax rates for those years

respectively, plus statutory interest for each year at the rate set forth in WIS. STAT. §74.37(5).

This comes to a total of \$260,527.14, plus interest.

Entered at Milwaukee, Wisconsin in this _____ day of _____, 2007.

HON. RICHARD J. SANKOVITZ
CIRCUIT JUDGE

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