

GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

STUART S. MUKAMAL
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA FRACZEK
JENNY YUAN
KAIL J. DECKER
ALLISON N. FLANAGAN
LA KEISHA W. BUTLER
PATRICK J. LEIGL
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
ELLENY B. CHRISTOPOULOS
RACHEL S. KENNEDY
TYRONE M. ST. JUNIOR
HANNAH R. JAHN
Assistant City Attorneys

April 17, 2017

Honorable Common Council Members
City Hall, Room 205

Re: Resolution Authorizing Payment of a Judgment Entered
by U.S. Bankruptcy Court in lawsuit titled
Kevin C. Williams v. City of Milwaukee

Dear Honorable Council Members:

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

The judgment in the above case (the "Judgment") resulted from an adversary proceeding (No. 11-02527) commenced by Kevin C. Williams (the "Plaintiff") within his Chapter 13 bankruptcy proceeding (Case No. 11-24658). The adversary proceeding sought to avoid a judgment of tax foreclosure (the "Tax Foreclosure Judgment") obtained by the City in respect of the Plaintiff's former property at 3202 North Sherman Boulevard (the "Property"). The bankruptcy court avoided the Tax Foreclosure Judgment and entered a money judgment, the Judgment, in favor of the Plaintiff in the amount of \$133,481.49, the value of the Property at the time of the Tax Foreclosure Judgment, as determined by the court.

The City appealed the entry of the Judgment by the bankruptcy court to the U.S. District Court. On March 28, 2017, the U.S. District Court affirmed the ruling of the bankruptcy court and entry of the Judgment. The City Attorney has determined no further appeal would be availing.

Statutory costs and post-judgment interest have been added to the Judgment amount in favor of the Plaintiff. To avoid the accrual of further post-judgment interest beyond the month of May, 2017, the City Attorney recommends payment



Honorable Common Council Members

April 17, 2017

Page 2

of the Judgment, in the total amount of \$137,974.98, as soon as practically possible.

Upon receipt of this payment, the Plaintiff will provide the City with a receipt acknowledging payment in full and a Satisfaction of the Judgment.

Very truly yours,



for

GRANT F. LANGLEY
City Attorney



KEVIN P. SULLIVAN
Assistant City Attorney

KPS:lmc
Enclosure

1060-2011-2045.001:238599