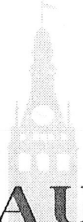


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June 21, 2023

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

RE: Resolution Authorizing Settlement in the lawsuit entitled  
*Janisha Nelson; Darryl Nelson v. City of Milwaukee, et al.*  
Case No.: 22-C-0388  
C.I. File No. 1032-2022-704

Dear Council Members:

Enclosed please find a proposed resolution to approve a settlement for \$435,000.00 to settle the claims raised by Janisha Nelson and Darryl Nelson in the lawsuit *Janisha Nelson and Darryl Nelson, et al. v. City of Milwaukee, et al.*, United States District Court for the Eastern District of Wisconsin, Case No. 22-CV-00388, as well as a fiscal impact statement.

On March 29, 2022, a complaint was filed with the United States District Court for the Eastern District of Wisconsin, Case No. 22-CV-00388, against the City of Milwaukee Police Department and Derek J. Kitts., bringing forth a negligence cause of action.

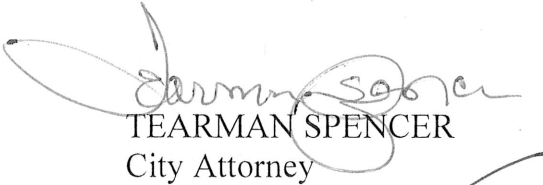
This case arose from a motor vehicle accident which took place on March 31, 2019, involving Milwaukee Police Officer, Derek J. Kitts, and the Plaintiffs, Darryl and Janisha Nelson. The Plaintiffs alleged that Officer Kitts negligently operated his vehicle at the intersection of Sherman Boulevard and Good Hope Road causing Plaintiffs severe permanent injuries and damages.



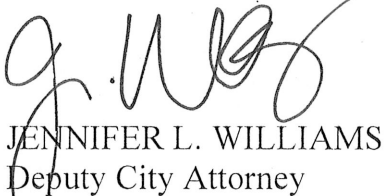
To the Honorable Common Council  
of the City of Milwaukee  
June 21, 2023  
Page Two

The parties engaged in extensive discovery and mediation where Plaintiffs agreed to settle all claims, including attorney's fees and costs, for \$250,000.00 for Darryl Nelson's claim and \$185,000.00 for Janisha Nelson's claim. At this time, due to the relative positions of the parties, the uncertainty of trial, and the potential of incurring liability and costs in excess of \$250,000.00 for Janisha Nelson's claim, we recommend settlement in the amount of \$435,000.00, and have enclosed an appropriate resolution.

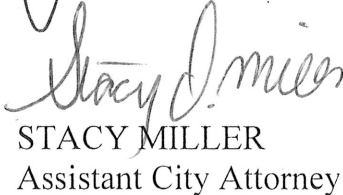
Very truly yours,



TEARMAN SPENCER  
City Attorney



JENNIFER L. WILLIAMS  
Deputy City Attorney



STACY MILLER  
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TS/JLW/SM/cdr

Enclosures

1032-2022-704/285445