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July 27, 2023

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

RE: Resolution Authorizing Settlement in the lawsuit entitled
Michael Poe v. City of Milwaukee, et al.
Case Number: 22-CV-00880.

Dear Council Members:

Enclosed please find a proposed resolution to approve a settlement for \$150,000 to settle the claims raised by Michael Poe in the lawsuit *Michael Poe v. City of Milwaukee*, Eastern District Federal Court Case Number 22-CV-00880, as well as a fiscal impact statement.

On August 3, 2022, Mr. Poe filed a complaint with the United States District Court for the Eastern District of Wisconsin, case number 22-CV-00880, alleging various Constitutional law violations, including unlawful detention, excessive force, unlawful arrest, failure to intervene, and unlawful policy/practice claims. In addition to suing the City of Milwaukee directly, Mr. White sued Milwaukee police department officers James Terrell, Nora Burlo, Olivia Ohlson, Daniel Schaefer, William Mauch, and Chance Bamba.

Mr. Poe alleges he was unlawfully detained, unlawfully arrested, and subject to excessive force during a shooting investigation in which his friend was injured at Mr. Poe's social club. Mr. Poe also alleged an unlawful policy/practice claim and failure to intervene.

The matter was headed for jury trial when Attorney Gende unexpectedly accepted the City's prior offer tendered by former ACA Chris Jackson the day after the City successfully defended the Milwaukee Police Department in federal court on an unrelated matter.



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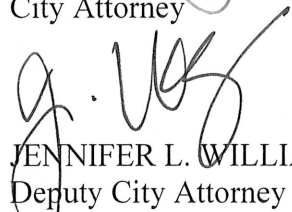
Based on the status of these claims, it is the City Attorney's recommendation that the proposed settlement is in the City's best interest. In exchange for the settlement, Mr. Poe will execute a settlement agreement and general release of all claims arising out of his lawsuit.

This matter was previously heard and approved of in closed session by the Judiciary and Legislative Committee. We request that this matter be assigned for a hearing in closed session before the Finance and Personnel Committee to be followed by an open session in order to take action.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER L. WILLIAMS
Deputy City Attorney

TS/JLW/cdr

Enclosures

JW/cdr

Enclosure

1032-2022-1137/286446