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January 13, 2017

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

Re: Resolution authorizing settlement of claims in the lawsuit entitled
Iema Lemons v. City of Milwaukee, et al., Case No. 13-CV-331 (E.D. Wis.)

Resolution authorizing \$2.5 million dollars of 2017 contingent borrowing to fund
settlement

Dear Council Members:

Enclosed please find the proposed resolutions referenced above. The first is a resolution to authorize the settlement of claims in the above-captioned lawsuit. The second is a resolution to authorize 2017 contingent borrowing to pay the settlement amount of 2.5 million dollars. Please introduced these resolutions and refer them to the appropriate committees for discussion in closed session, followed by open session for the committees to take appropriate action, with the following recommendation.

The complaint in this matter concerns the sexual assault of Iema Lemons committed by former Milwaukee Police Officer Ladmarald Cates, who was discharged from employment and convicted by a federal jury of violating Ms. Lemons' civil rights. The assault took place on July 16, 2010. Ms. Lemons called 911 for police assistance because bricks had been thrown through her windows. The offense was committed after officers were sent to respond to the emergency call when then Officer Cates was alone with Ms. Lemons in her residence. Ms. Lemons was later taken into custody by other officers outside the residence in connection with the arrest of Ms. Lemons' brother; however, during the time she was in custody, she was taken to a hospital for treatment concerning the assault and was then released. The district court has granted in part and denied in part the City's motion for summary judgment, dismissing several parties, but setting a trial on several claims including several defendants. As the matter proceeded to the January 9, 2017 trial date, mediation resulted in a proposed settlement of 2.5 million dollars,



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inclusive of all claims for damages against all parties, and inclusive of attorney fees and costs. The City Attorney now recommends settlement of this matter for the total sum of \$2.5 million as recommended by the magistrate judge.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
Deputy City Attorney

MRH/MRH
enclosures
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