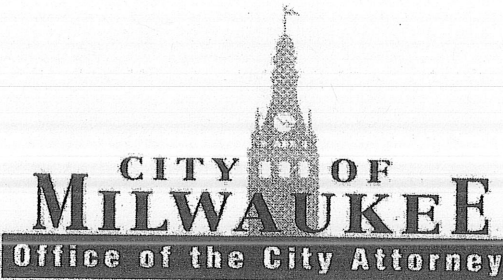


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May 7, 2024

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

Re: Resolution Authorizing Settlement in the lawsuit entitled
Jacqueline Searcy & Steven Searcy v. City of Milwaukee, et al.
Case Number: 22-CV-7099

Dear Council Members:

Enclosed please find a proposed resolution approving the payment of \$225,000 to settle the claims raised by Jacqueline Searcy and Steven Searcy in the above-referenced lawsuit, as well as a fiscal impact statement.

Plaintiffs filed suit in Milwaukee Circuit Court on November 7, 2022, alleging negligence and personal injury damages, arising from a motor vehicle accident involving a city sanitation vehicle operated by Mr. Sigala, in the course and scope of his duties as a city employee, on November 7, 2019 in the eastbound lane of West Capitol Drive. The city sanitation vehicle collided with Mr. Searcy's pickup truck from the rear.

Mrs. Searcy was transported from the scene by ambulance. In 2005, Mrs. Searcy had had surgery for an inner ear tumor causing headaches, dizziness, hearing loss and cognitive issues. She alleged that, as a consequence of this incident, those symptoms returned. She was additionally diagnosed with a whiplash neck injury, concussion/post-concussion syndrome, was prescribed Neurontin for on-going pain, attended physical therapy for neck pain and vestibular issues, and attended speech therapy for slow processing and short term memory deficits. Mrs. Searcy has reported migraine headaches with pain radiating from left to right, including nausea, blurred vision, and balance issues, lasting a half an hour or more since the incident. In 2021, she was awarded disability benefits due to these symptoms. Mrs. Searcy is scheduled to undergo surgery to address her on-going migraines and vestibular issues.

Mr. Searcy went to his doctor the next day complaining of back and neck pain, was prescribed a muscle relaxer and attended physical therapy for upper back pain from November 2019 to February 2020, and January to March 2022. He also made claims relative to loss of consortium due to his wife's injuries and symptoms.



To the Honorable Common Council
of the City of Milwaukee
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Wisconsin state law caps municipal liability relative to motor vehicle accidents at \$250,000 per person, per occurrence. Thus, the maximum amount that two plaintiffs could recover related to a single accident would be no more than \$500,000. Plaintiffs' initial settlement demand was \$290,000 total, including approximately \$55,000 in medical bills incurred by Mrs. Searcy and approximately \$13,000 in medical bills incurred by Mr. Searcy, as well as pain and suffering, loss of consortium, lost wages, and future medical expenses.

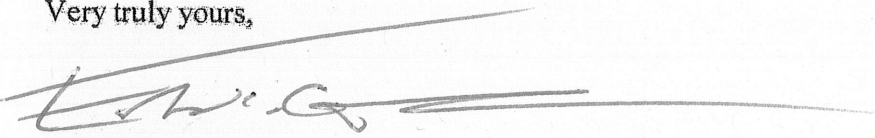
The parties have reached a conditional agreement, subject to final approval, to settle all claims for \$225,000 total. Settlement negotiations were previously discussed with the Judiciary and Legislation Committee in February and March 2024.

Based on the facts and circumstances developed in the course of discovery, and the applicable legal standards, including those related to aggravation of pre-existing injuries and activation of latent disease or condition, the City Attorney's Office recommends that the proposed settlement is in the City's best interest.

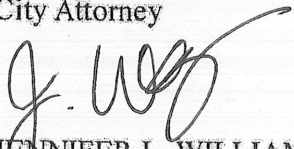
If the resolution authorizing payment is approved, the parties will execute a settlement agreement and general release of all claims arising out of the incident that expressly disclaims any admission of liability on behalf of the city or Mr. Sigala.

We request that this matter be assigned for a hearing in open session before the Judiciary and Legislative Committee and the Finance and Personnel Committee to be followed by an open session in order to effectuate settlement of this matter.

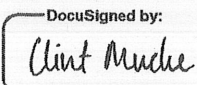
Very truly yours,



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JENNIFER L. WILLIAMS
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Enclosures

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