

Reply to Common Council File No. 001557

From DOA-Budget and Management Division

March 7, 2001

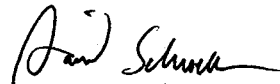
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Common Council file 001557 contains a resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining experts and outside legal counsel in Bradley DeBraska, et al. V. City of Milwaukee, U.S. District Court, Eastern District of Wisconsin, Case No. 96-C-402.

The Milwaukee Police Association and certain individual police officers brought this case against the City alleging that the City has violated the Fair Labor Standards Act in the method by which it compensates non-supervisory police officers in numerous respects. Senior District Judge Myron L. Gordon has ruled that the system utilized by the Milwaukee Police Department for affording police officers access to their earned and accrued compensatory time balances did not comply with the requirements of The Fair Labor Standards Act. Senior District Judge Myron L. Gordon has directed further proceedings to determine the nature and extent of any damages.

The City Attorney's Office will use this appropriation to retain the experts and outside legal counsel in attempt to limit the City's exposure to damages or other liabilities from these proceedings. This resolution authorizes the City Attorney to pay fees and expenses after review and approval of invoices from Seyfarth Shaw.

RECOMMENDATION: APPROVE COMMON COUNCIL FILE 001557 WHICH APPROPRIATES \$8,000 FROM THE OUTSIDE COUNSEL/EXPERT WITNESS FUND FOR RETAINING EXPERTS AND OUTSIDE LEGAL COUNSEL IN THE LITIGATION ENTITLED BRADLEY DEBRASKA ET AL. V. CITY OF MILWAUKEE.



David Schroeder
Budget & Management Policy Specialist

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