

October 29, 2002

The Honorable Common Council
of the City of Milwaukee
Room 205, City Hall

Re: **Resolution Authorizing Appropriation from Contingent Fund to the Damages and Claims Fund**

Dear Council Members:

Enclosed please find a proposed resolution for introduction. We ask that it be considered with the following recommendation.

The recent decision of the Seventh Circuit Court of Appeals affirming the judgment of the trial court in *Oconomowoc Residential Programs, Inc., et al. v. City of Milwaukee* leaves the City with the obligation of a judgment in the amount of \$590,912.81. That amount far exceeds what is remaining in the Damages and Claims Fund. An appropriation from the Contingent Fund in the amount of the judgment is required in order to satisfy it and provide for remaining claims that may be paid from the Damages & Claims Fund before year's end.

Because payment of the judgment at this time is deemed in the best interests of the City of Milwaukee, we recommend the appropriation of the aforementioned amount from the Contingent Fund and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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