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May 9, 2022

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205- City Hall

Re: Proposed Settlement of the lawsuit entitled:  
*Patrick McCormack v. Brendan Dolan, et al.*  
USDC Case No. 20-CV-739

Dear Honorable Council Members:

Enclosed please find a proposed resolution recommending settlement of the above referenced case, as well as a fiscal impact statement. We request that this matter be assigned for a hearing in closed session before the Judiciary & Legislation Committee to be followed by an open session in order to take action.

In the above-referenced lawsuit, the plaintiff, Patrick McCormack claims that his civil rights were violated between on or about June 3, 2019 when he was wrongfully arrested and unlawfully detained by Milwaukee Police Department officers Brendan Dolan, Angela Juarez and Kevin Eyre.

The plaintiff alleges that he was misidentified as a suspect who pulled a gun on an off-duty police officer while driving. His description did not match that of the suspect, his vehicle was a Honda Civic instead of a Hyundai, and only the first the numbers of his license plate matched the suspect license plate. He provided an alibi that was substantiated by numerous witnesses, yet he was still detained until the District Attorney declined to issue charges on or about June 7, 2019.



The Honorable Common Council

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The parties have reached a tentative settlement in the amount of \$35,000. Given the risk of trial, and the City's risk for exposure to compensatory and punitive damages, as well as additional attorney fees and costs, we recommend that this matter be settled for that amount. Consistent with our recommendation, we request authorization to execute a settlement agreement on behalf of the City and the officers and have enclosed the appropriate documents for your consideration.

Very truly yours,



TEARMAN SPENCER  
City Attorney



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Deputy City Attorney

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Enclosures

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