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July 2, 2023

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

RE: Resolution Authorizing Payment for Legal Services from
Nathan & Kamionski, LLP for the lawsuit entitled
Sam Hadaway v. City of Milwaukee, et al.
Case Number: 19-CV-1106

Dear Council Members:

Enclosed please find a proposed resolution to approve an amended to the contract with outside counsel to defend the claims raised by Sam Hadaway in the lawsuit *Sam Hadaway v. City of Milwaukee, et al*, Eastern District Federal Court Case Number 19-cv-01106 as well as a fiscal impact statement.

On July 31, 2019, Mr. Hadaway filed a complaint with the United States District Court for the Eastern District of Wisconsin, case number 19-CV-01106, alleging, among other things, a violation by obtaining a confession contrary to the Fifth Amendment, his due process rights under the Fourteenth Amendment to the U.S. Constitution, Failure to Intervene, and various state law claims. In addition to suing the City of Milwaukee directly, Mr. Hadaway sued Milwaukee police department officers Carl Buschmann, James DeValkenaere, and Robert Simon.

Mr. Hadway alleges that in 1995 officers coerced his confession wherein he admitted to witnessing the murder of a teenage victim, JP, by his friend, Chaunte Ott. Mr. Hadaway ultimately cooperated with the prosecution, testified under oath at Ott's jury trial, and subsequently pled guilty in state court, and served a five-year prison sentence related to his participation in the murder. DNA evidence from inside child victim, JP's body, was later linked to serial killer, Walter Ellis. Hadaway now recants his original statement to police, testimony at trial under oath, and subsequent consistent statements regarding his involvement in and at JP's homicide.

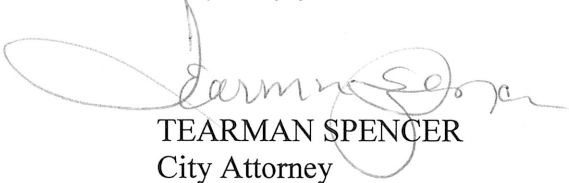


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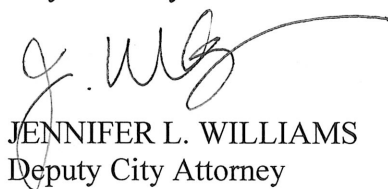
The matter is currently in the phase of expert discovery, and outside counsel for the City, Nathan & Kamionski, anticipate the additional expense of \$120,000 to continue defense in this matter. The request for these additional funds in this amount will pay all outstanding bills, and any final fees, through the end of this calendar year pursuant to the City's outside counsel's proposed budget.

Based on the status of these claims, it is the City Attorney's recommendation that authorizing these specific additional funds is in the City's best interest.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER L. WILLIAMS
Deputy City Attorney

TS/JLW/cdr

Enclosures

1032-2019-1607/285406