

November 16, 2005

The Honorable Common Council
Of the City of Milwaukee
City Hall – Room 205

Re: Resolution to authorize settlement of lawsuit entitled *Lynn Harper v. City of Milwaukee*
ERD Case No. CR200302022; EEOC Charge No. 26GA301396

Dear Council Members:

Enclosed please find a resolution authorizing settlement of the above captioned litigation.

On June 2, 2003 Lynn Harper filed a case alleging discrimination based on gender or sex with regard to her compensation.

Ms. Harper is a member of a protected class under the Wisconsin Fair Employment Act and Title VII of the Civil Rights Act of 1964, as amended. Ms. Harper specifically alleges that she was denied equal pay for equal work in comparison to a particular male employee.

In consideration of the payment to Ms. Harper of the gross sum of \$7,105.00, she agrees to withdraw and dismiss with prejudice her discrimination case filed in the Equal Rights Division of the Wisconsin Department of Workforce Development and the United States Equal Employment Opportunity Commission. By terms of this agreement the claim is to be withdrawn and dismissed.

The parties have entered into a settlement in order to avoid further litigation. Under the terms of the settlement, Lynn Harper and Shannon McDonald, her attorney, will receive a total of \$7,105.00 to cover any and all claims that could have been brought, including back pay, compensatory damages, lost benefits, attorney fees, and costs. There is no admission of liability.

The City Attorney believes settlement is in the best interests of the City and therefore recommends settlement of the pending case.

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The City Attorney requests that the Committee to which this matter is referred convene in closed session for purposes of discussing the terms of the settlement, and the underlying litigation.

Very truly yours,

GRANT F. LANGLEY
City Attorney

LEONARD A. TOKUS
Assistant City Attorney

GFL:LAT:enm
Enclosure

94636/ 1029-2003-1866