

MILWAUKEE ATHLETIC CLUB,

Plaintiff,

Case No. 06CV002424

v.

CITY OF MILWAUKEE,

Defendant.

SETTLEMENT STIPULATION AND ORDER

Plaintiff Milwaukee Athletic Club and defendant City of Milwaukee (“the City”), by their undersigned counsel, stipulate as follows, as a final resolution of this action:

1. This action was brought under WIS STAT. § 74.37(3)(d), for a refund of allegedly excessive real estate taxes imposed on Milwaukee Athletic Club by the City for the years 2004 through 2006.

2. The parties have agreed to resolve this case by the City’s reducing the assessment of the Property. In furtherance of this settlement, the parties agree that the City shall remit tax refunds to Milwaukee Athletic Club within 30 days of the date on which the Order below is executed by the Court. Such refunds shall include the principal tax on the difference between assessments for the years 2004 through 2006, computed at the City’s tax rates for those years’ assessed value, plus statutory interest at the rate set forth in WIS. STAT. § 74.37(5). This comes to a total of \$59,773.46, plus interest.

MICHAEL, BEST & FRIEDRICH LLP
Attorney for Plaintiff

Dated: _____

By: _____

ROBERT L. GORDON
State Bar No.

P.O. ADDRESS:

100 E. Wisconsin Ave.
Milwaukee, WI 53202-4124
(414) 225-4936

CITY OF MILWAUKEE

Dated: _____

By: _____

VINCENT D. MOSCHELLA, DEPUTY CITY ATTORNEY
Wisconsin Bar No. 1016845

P.O. ADDRESS:

841 N. Broadway, Room 716
Milwaukee, WI 53202
(414) 286-2601

ORDER APPROVING SETTLEMENT STIPULATION

Upon consideration of the foregoing Settlement Stipulation, that Stipulation is
APPROVED as a final resolution of this action.

3. It is ORDERED that within 30 days of the date of this Order, defendant City of Milwaukee shall remit to plaintiff Milwaukee Athletic Club tax refunds for 2004 through 2006 on the subject property. Such refund shall include the principal tax on the difference between assessment for the years 2004 through 2006, computed at the tax rate for those years

respectively, plus statutory interest at the rate set forth in WIS. STAT. § 74.37(5). This comes to a total of \$59,773.46, plus interest.

Entered at Milwaukee, Wisconsin in this _____ day of _____, 2007.

HON. CLAREL. FIORENZA
CIRCUIT JUDGE

1130-2006-1919:117053