

April 12, 2004

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

Re: Resolution to authorize settlement of race discrimination charge entitled
Eric J. Moore v. City of Milwaukee, EEOC Charge No. 2670-2004-00710,
ERD Case No. CR200304864

Dear Council Member:

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

Eric J. Moore was promoted to the rank of Captain of Police for the Milwaukee Police Department in December, 2003. Prior to that time he served as a Lieutenant of Detectives. In November, 2003, he filed a charge of discrimination based upon race and/or association with persons of another race, alleging that the same had been a factor in his failure to be promoted to captain from approximately late 1999.

The parties now desire to enter into a private settlement in order to avoid further litigation, including claims of constitutional violations of the equal protection clause (42 U.S.C. §§ 1981, 1983 and/or 1985). Under the terms of the settlement, Eric J. Moore will receive a total of \$20,000 to cover any and all claims that could have been brought, including attorney fees, costs and compensatory damages. There is no admission of liability.

The City Attorney believes settlement is in the best interests of the City and therefore recommends settlement of this lawsuit.

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.

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Very truly yours,

GRANT F. LANGLEY

City Attorney

Miriam R. Horwitz

Assistant City Attorney

MRH/mrh

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c: David Heard, FPC

Nannette H. Hegerty, Chief of Police