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July 15, 2016

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

Re: Payment of Ordered Interim Attorney's Fees in *Green, Davin v. Newport, Jonathon and the City of Milwaukee*, Case Number: 15C0786

Dear Council Members,

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendation.

Davin Green is suing Milwaukee Police Officer Jonathon Newport and the City of Milwaukee alleging that Officer Newport violated Green's constitutional rights when Officer Newport conducted an investigatory stop and frisk of Green on November 26, 2014. The United States District Court for the Eastern District of Wisconsin issued summary judgment in Green's favor as to the claims brought against Officer Newport and denied Officer Newport's request for qualified immunity. In conjunction with that decision, the District Court also ordered that Officer Newport pay an award of interim attorney's fees to Plaintiff's counsel in the amount of \$23,676.92. Officer Newport has appealed the District Court's decision denying him qualified immunity to the Seventh Circuit Court of Appeals. That appeal is pending.

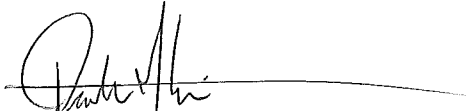
In the event that Seventh Circuit Court of Appeals reverses the District Court's decision denying Officer Newport qualified immunity, the City would be legally entitled to, and we would seek recovery of the interim fee award from Peterson, Johnson & Murray S.C. However, because the appeals court has not yet rendered a decision on the issue, the District Court's order for payment of interim fees is still in effect. Therefore, we recommend payment of \$23,676.92 to Green's counsel, Peterson, Johnson & Murray S.C., and have enclosed an appropriate resolution for your convenience.

Very truly yours,


GRANT F. LANGLEY
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Enclosure

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