

**TEARMAN SPENCER**

City Attorney

**KIMBERLY R. WALKER**

Special Deputy City Attorney

**ODALO J. OHIKU**

**SCOTT F. BROWN**

**ROBIN A. PEDERSON**

Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

SUSAN E. LAPPEN  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
GREGG C. HAGOPIAN  
JAY A. UNORA  
KATHRYN Z. BLOCK  
KEVIN P. SULLIVAN  
THOMAS D. MILLER  
JEREMY R. MCKENZIE  
PETER J. BLOCK  
JENNY YUAN  
ALLISON N. FLANAGAN  
HEATHER H. HOUGH  
ANDREA J. FOWLER  
PATRICK J. MCCLAIN  
NAOMI E. GEHLING  
BENJAMIN J. ROOVERS  
ELLENY B. CHRISTOPOULOS  
TYRONE M. ST. JUNIOR  
HANNAH R. JAHN  
JULIE P. WILSON  
GREGORY P. KRUSE  
KIMBERLY A. PRESCOTT  
SHEILA THOBANI  
KATRYNA C. RHODES  
NICOLE F. LARSEN  
JAMES M. CARROLL  
WILLIAM G. DAVIDSON  
MEIGHAN M. ANGER  
ALEXANDER R. CARSON  
JENNIFER J. TATE  
Assistant City Attorneys

February 10, 2021

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

Re: Proposed Settlement of claims against the City of Milwaukee in the  
lawsuit, *Mark Peterson v. City of Milwaukee*, ERD Case No. CR201902375

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 below recommendation.

The basis of this lawsuit is the non-selection for hire of Mr. Peterson for the position of Investigator/Auditor with Fire & Police Commission in February 2019. Mr. Peterson applied to the position and received a conditional offer of employment which was ultimately withdrawn. Mr. Peterson alleged a violation of the Wisconsin Fair Employment Act against him on the basis of arrest record discrimination for the withdrawal. The City denies this allegation.

After an Initial Determination of probable cause from the Equal Rights Division, the parties engaged in mediation and have agreed to settle the matter for a total of \$15,000, inclusive of all fees and costs, subject to approval by Common Council and the Mayor.

Because of the unpredictability of a trial, and the City's risk for exposure to compensatory damages, as well as additional attorney fees and costs, we recommend that this matter be settled for the amount negotiated. Consistent with our recommendation, we request authorization to execute a settlement agreement



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on behalf of the City and its officer, and have enclosed an appropriate resolution for  
your consideration.

Very truly yours,



TEARMAN SPENCER  
City Attorney



Robin A. Pederson  
Deputy City Attorney

Enclosure