TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys

CITY OF MILWAUKEE
Office of the City Attorney

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

HEIDI WICK SPOERL
KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
PATRICK J. MCCLAIN
HANNAH R. JAHN
JULIE P. WILSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
ALEXANDER T. MUELLER
ALEXANDER D. COSSI
LISA A. GILMORE
TAVISS K. SMITH
KATHERINE A. HEADLEY
L. ANTHONY JACKSON
STACY J. MILLER
MICHAEL C. RADAVICH
JORDAN M. SCHETTLE
THERESA A. MONTAG
NANCY A. DOMINSKI
ALEXANDER E. FOUNDOS
JAMES D. LEWIS
TRAVIS J. GRESHAM
KYLE W. BAILEY
JOSEPH M. DOBBS
WILLIAM K. HOTCHKISS
CLINT B. MUCHE
Assistant City Attorneys

May 18, 2023

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

RE: Resolution Authorizing Settlement in the lawsuit entitled
Ladarius Marshall v. City of Milwaukee, et al.
Case Number: 22-CV-00525

Dear Council Members:

Enclosed please find a proposed resolution to approve a settlement for $225,000 to settle the claims raised by Ladarius Marshall in the lawsuit *Ladarius Marshall v. City of Milwaukee*, Eastern District Federal Court Case Number 22-cv-00525, as well as a fiscal impact statement.

On May 2, 2022, Mr. Marshall filed a complaint with the United States District Court for the Eastern District of Wisconsin, case number 22-CV-0525, alleging, among other things, a violation by obtaining a confession contrary to the Fifth Amendment, his due process rights under the Fourteenth Amendment to the U.S. Constitution, Failure to Intervene, and various state law claims. In addition to suing the City of Milwaukee directly, Mr. White sued Milwaukee police department officers Matthew Goldberg, Timothy Heier, Gus Petropoulous, and Michael Braunreiter.

Mr. Marshall alleges that officers in 2008 during a homicide investigation coerced his confession wherein he admitted to shooting his friend, another juvenile. Mr. Marshall ultimately pled guilty in state court, and served 10 of his 20-year sentence of initial confinement before he was released by a federal court judge on a successful motion for Habeas Corpus.

The matter was in the early stages of discovery, when outside counsel for the City successfully negotiated and obtained a settlement in the amount of $225,000.

MILWAUKEE

Based on the status of these claims, it is the City Attorney's recommendation that the proposed settlement is in the City's best interest. In exchange for the settlement, Mr. Marshall will execute a settlement agreement and general release of all claims arising out of his lawsuit.

This matter was previously heard and approved of in closed session by the Judiciary and Legislative Committee. We request that this matter be assigned for a hearing in closed session before the Finance and Personnel Committee to be followed by an open session in order to take action.

Very truly yours,

TEARMAN SPENCER
City Attorney

JENNIFER L. WILLIAMS
Deputy City Attorney

TS/JLW/cdr

Enclosures

1032-2022-561/285314