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June 6, 2023

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

RE: *Ladarius Marshall v. City of Milwaukee, et al.*
Case Number: 22-CV-00525
C.I. File No. 1032-2022-561

Dear Council Members:

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

Please find a proposed resolution to approve additional funds to pay outside counsel settlement to conclusion in the amount of $60,000 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.

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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. The request for these additional funds in the amount of $60,000 will pay all outstanding bills, and any final fees, to conclude this litigation.

Based on the status of these claims, it is the City Attorney's recommendation that authorizing these specific additional funds is in the City's best interest.

Very truly yours,

TEARMAN SPENCER
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Deputy City Attorney

JW/cdr

Enclosures

1032-2022-561/285403