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April 22, 2025

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

RE: Resolution Authorizing Settlement in the lawsuit entitled
Danny Wilber v. City of Milwaukee, et al.
Case No.: 23-CV-0951

Dear Council Members:

Enclosed please find a proposed resolution to approve a settlement for $6,960,000.00 to settle the claims raised by Danny Wilber in the lawsuit *Danny Wilber v. City of Milwaukee, et al.*, U.S. District Court Case No. 23-CV-951, as well as a fiscal impact statement.

Plaintiff has alleged Fourteenth Amendment violations involving Mr. Wilber's arrest and ultimate conviction for the homicide of David Diaz on January 31, 2004. The parties have extensively litigated this matter in the Eastern District of Wisconsin up to and through the dispositive motions phase. The proposed resolution is within the parameters of settlement authority previously authorized.

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. Wilber will execute a settlement agreement and general release of all claims arising out of his lawsuit.

We request that this matter be assigned for a hearing in an open session before the Judiciary and Legislative Committee in order to act.

Very truly yours,

EVAN C. GOYKE
City Attorney

/s/ Naomi E. Sanders

NAOMI E. SANDERS
Assistant City Attorney

ECG/NES/cdr

Enclosures

1032-2023-1229/297411

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