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February 25, 2019

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

Re: Proposed Payment of Judgment in  
*4830 West Vliet Street, LLC v. City of Milwaukee*  
Case No. 17-CV-5413

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.

The plaintiff corporation claimed that the actions of the city in failing to maintain an adjacent alley had caused it damages and that the city responded to a claim by attempting to vacate the alley and did so without proper notice to the corporation. In the lawsuit, initially the corporation sought to declare the vacation to be void and sought the award of attorneys' fees. Subsequently, the corporation added claims that it had been damaged by a violation of its due process rights and its equal protection rights.

Subsequently, the city rescinded the vacation but the trial court determined that the plaintiff's procedural due process rights had been violated. The trial court entered an amended judgment on February 18, 2019 for attorneys' fees only in the amount of \$47,343.30 and the plaintiff is entitled to statutory interest on that amount from the date of the judgment until the date of payment. Statutory interest on that amount to the expected date of payment brings the total to \$48,898.16



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Because payment of this judgment and interest at this time is deemed appropriate and expeditious, we recommend payment of the proposed judgment amount, including interest, and have enclosed an appropriate resolution for your convenience.

Very truly yours,



GRANT F. LANGLEY  
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ADAM B. STEPHENS  
Deputy City Attorney

Enclosure

1081-2017-1392:257142