



Legislation Details (With Text)

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**File created:** 10/14/2003      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:** 11/5/2003  
**Effective date:**

**Title:** Resolution authorizing payment of verdict in lawsuit entitled Emma J. Adair, plaintiff, State of Wisconsin Dept. of Health & Family Services, Div. of Healthcare Financing, subrogated plaintiff v. City of Milwaukee, defendant, Case No. 02-CV-008083. (City Attorney)

**Sponsors:** THE CHAIR

**Indexes:** SUITS PAYMENT

**Attachments:** 1. City Atty cover letter.pdf, 2. fiscal note.pdf, 3. Claim.PDF, 4. Fiscal Review Analysis.pdf

Date	Ver.	Action By	Action	Result	Tally
10/14/2003	0	COMMON COUNCIL	ASSIGNED TO		
10/20/2003	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2003	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/27/2003	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/5/2003	0	COMMON COUNCIL	ADOPTED	Pass	16:0
11/7/2003	0	MAYOR	SIGNED		

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THE CHAIR

Resolution authorizing payment of verdict in lawsuit entitled Emma J. Adair, plaintiff, State of Wisconsin Dept. of Health & Family Services, Div. of Healthcare Financing, subrogated plaintiff v. City of Milwaukee, defendant, Case No. 02-CV-008083. (City Attorney)

This resolution authorizes settlement of the lawsuit entitled Emma Adair, et al. v. City of Milwaukee, in the amount of \$46,199.49.

Whereas, The plaintiff, Emma Adair filed a lawsuit against the City of Milwaukee, seeking an unspecified amount of damages as a result of an incident which occurred on January 26, 2001; and

Whereas, In the trial of this case, the jury found that the City of Milwaukee was 65% responsible for this accident, and

Whereas, The jury found damages of \$68,174.24; and

Whereas, Interest and attorneys fees total \$1,886.24, and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to comply with the finding of the jury; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are hereby authorized and directed to issue a City check in the amount of \$46,199.49, made payable to the order of Kersten & McKinnon, S.C., as attorneys for Emma J. Adair, in full and final resolution of plaintiff's claim against the City upon receipt of a Release of Claim, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claims Fund, Account No. 0001-1490-2631-S118-006300.

City Attorney

PAF:enm

October 2, 2003

73137/1029-2002-2578