



## Legislation Text

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**File #: 991683, Version: 0**

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991683  
ORIGINAL

THE CHAIR

Resolution authorizing settlement of lawsuit entitled Keith Harris v. City of Milwaukee, et al., United States District Court Case No. 97-C-786 and Seventh Circuit Appeal No. 00-1135. (City Attorney)

- Analysis -

This resolution authorizes settlement of the lawsuit entitled Keith Harris v. City of Milwaukee, et al., United States District Court Case No. 97-C-786 and Seventh Circuit Court of Appeals, Appeal No. 00-1135 in the amount of \$46,996.88 which represents \$13,518.12 in judgment, \$1,527.89 in prejudgment interest, \$29,758.47 in attorney's fees, and \$1,992.40 in costs.

Whereas, The plaintiff, Keith Harris, was disciplined by the City Milwaukee, appealed said discipline to the Board of Trustees, Milwaukee Public Library, who modified the disciplinary action, and Keith Harris brought suit against the City of Milwaukee, City Library and Kathleen Huston, City Librarian, in her official and individual capacity as City Librarian at the City of Milwaukee Library in District Court Case No. 97-C-786; and

Whereas, Portions of said complaint were dismissed by the court; however, trial was subsequently held on June, 1999 with remaining defendant, Kathleen Huston in her individual capacity, regarding the issue of whether Mr. Harris was given appropriate due process prior to his termination as an employee of the City of Milwaukee Library; and

Whereas, The jury returned a verdict in favor of Mr. Harris and the United States District Court subsequently entered an order for judgment in the amount of \$13,518.12 in damages, prejudgment interest of \$1,527.89, attorney's fees in the amount of \$29,758.47, and costs in the amount of \$1,992.40; and

Whereas, Plaintiff, Keith Harris further filed a notice of appeal to the United States Court of Appeals for the Seventh Circuit with respect to alleged deficiencies in the jury trial; and

Whereas, The parties have entered into a settlement providing inter alia for the payment of the District Court judgment in exchange for the dismissal of the appeal; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a city check in the amount of \$46,796.88 payable jointly to Keith Harris, Attorney Willie J. Nunnery and the attorney trust fund account of Attorney Willie J. Nunnery as full and final settlement of this lawsuit and appeal, upon receipt of a release of claim approved as to form and execution by the City Attorney, that said funds shall be appropriated from the Damages and Claims Fund, Fund 0001, Org 1490, Program 0001, Sub-Class S118, Account 636506.

City Attorney  
MRH:wt  
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