



## Legislation Text

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**File #:** 040129, **Version:** 0

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040129  
ORIGINAL

### THE CHAIR

Resolution authorizing settlement of a class action claim against Fresenius National Medical Care Inc. in connection with the City of Milwaukee's Basic Health Plan. (City Attorney)

This resolution authorizes the settlement of a class action claim against Fresenius National Medical Care, Inc. in connection City of Milwaukee's Basic Health Plan.

Whereas, Wisconsin Physicians Service Insurance Corporation (WPS), who is under contract to perform administrative services in connection with the City of Milwaukee's self-funded basic health plan, has offered the City the opportunity to participate in the settlement of a class action claim against Fresenius National Medical Care, Inc.; and

Whereas, The class action relates to a group recovery effort by several insurers against Fresenius National Medical Care, Inc.; and

Whereas, The WPS had advised the City that legal fees in this matter are a contingent fee of 31% of the amount of the recovery; and

Whereas, The City of Milwaukee Basic Health Plan will receive a settlement payment in the amount of \$10,308.10 after legal fees; and

Whereas, The amount offered is a fair and reasonable settlement of the City's subrogation claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Director of Employee Benefits be and hereby is authorized and directed, on behalf of the City, to accept the settlement of \$10,308.10 in release and satisfaction of the City's class action claim against Fresenius National Medical Care Inc., and to execute and deliver the Certificate and Release attached to this file, and to execute any other necessary stipulations and releases to effectuate this settlement.

City Attorney  
EHT:eht  
May 21, 2004

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