



Legislation Text

File #: 040233, **Version:** 0

040233
ORIGINAL
THE CHAIR

Resolution to authorize settlement of race discrimination lawsuit entitled Donald Harmon v. City of Milwaukee, United States District Court for the Eastern District of Wisconsin, Case No. 03-C-0974. (City Attorney)

This resolution authorizes settlement of litigation pending in the United States District Court for the Eastern District of Wisconsin, Donald Harmon v. City of Milwaukee, Case No. 03-C-0974 and all related claims in the amount of \$112,500.00 for all damages of any nature, including compensatory damages, back pay, front pay, lost pension or other benefits, attorneys fees and costs, and any other claim for damages that could be brought concerning the subject matter of the litigation.

Whereas, The plaintiff, Donald Harmon, filed the above captioned lawsuit claiming discrimination based upon his race, and retaliation for engaging in activity protected by Title VII of the Civil Rights Act of 1964, as amended, in connection with his being denied employment as a Milwaukee Police Officer due to failing the background investigation in 1994 and 1997; and

Whereas, The parties have agreed to settle this lawsuit in the amount of \$112,500.00 payable as \$20,000.00 for back pay, and \$92,500.00 for all other damages, lost pension or other benefits, attorney fees, costs, compensatory damages and any other claims for damages of any nature that could have been brought, as set forth in the proposed Settlement Agreement and Release; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Attorney be and hereby is authorized to execute the attached Settlement Agreement; and, be it

Further 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 \$20,000.00, payable to Donald Harmon, as and for back pay, subject to all appropriate federal and state tax withholdings, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Wages and Salary Account for the Milwaukee Police Department, Account No. 0001-3310-006000; and, be it

Further 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 \$92,500.00 payable to Donald Harmon for all damages of any nature, including without limitation, compensatory damages, lost pension benefits, attorneys fees and costs, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118.

City Attorney
MRH:

June 11, 2004
81798

Clerical error corrected 6/28/04. mbh