



Legislation Text

File #: 991678, **Version:** 1

991678
SUBSTITUTE

THE CHAIR

Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Powalisz, for payments made pursuant to the City's Basic Health Plan.

-Analysis-

This resolution authorizes cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Powalisz, for payments made pursuant to the City's Basic Health Plan. _____

Whereas, Kathleen Powalisz commenced a worker's compensation action against Midwest Airlines with respect to injuries allegedly sustained during the scope of her employment with Midwest Express Airlines on August 24, 1997; and

Whereas, As a result of the injuries allegedly sustained in connection with the worker's compensation claim, the City of Milwaukee has made payments on behalf of Kathleen Powalisz for medical care and treatment pursuant to its Basic Health Plan in the amount of \$37,153.54; and

Whereas, The City has a subrogation claim against Kathleen Powalisz as a result of such payments; and

Whereas, Kathleen Powalisz has offered to settle this subrogation claim for \$5,000.00, and the difference between the original claim and the settlement is \$32,153.54; and

Whereas, This settlement reflects the legal liability of the parties and is a fair and equitable resolution of the City of Milwaukee's subrogation claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the subrogation claim of the City of Milwaukee against Kathleen Powalisz arising out of her worker's compensation claim against Midwest Express Airlines is hereby cancelled in the amount of \$32,153.54, and the City Attorney is authorized and directed to enter into a release and settlement of said claim.

City Atty.
EHT
2/14/00
28096