



## Legislation Text

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**File #: 991359, Version: 0**

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991359  
ORIGINAL

### THE CHAIR

Resolution appropriating \$15,000 from the Common Council Contingent Fund, for the purpose of paying the defense of the Milwaukee Employees' Retirement System (ERS) and Annuity and Pension Board in Watson Wyatt & Co., et al. v. Milwaukee Employees' Retirement System, et al., Northern District of Illinois, United States District Court Case No. 99-C-6140. (City Attorney)

The City Attorney has authorized the ERS to retain outside counsel in conjunction with in the above case. This resolution appropriates \$15,000 from the Common Council Contingent Fund to the Outside Counsel - Expert Witness Fund to enable the City Attorney to pay the costs associated with the ERS defense.

Whereas, The City Attorney has advised the ERS to secure outside counsel in the above case to represent the ERS; and

Whereas, The City Attorney has an understanding with Mr. William Croke, the ERS insurance counsel, under which the ERS will reimburse the City if it is determined that the obligation to pay for the ERS' defense lies with the ERS fiduciary liability insurance carriers; and

Whereas, The ERS has retained the services of Irwin L. Kass of Boardman, Suhr, Curry & Field LLP to represent the ERS and the Board; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the sum of \$15,000 be and hereby is appropriated from the Common Council Contingent Fund, Account No. 0001-9990-C001-1999-006300 to the Outside Counsel - Expert Witness Fund, Special Purpose Account No. 0001-1490-S157-1999-634001 for the purpose of paying the defense costs submitted by Boardman, Suhr, Curry & Field; and, be it

Further Resolved, That the office of the City Attorney is hereby authorized to approve payment from the appropriation upon submission of itemized invoices meeting with the approval of the City Attorney and in accordance with the Agreement for representation between the ERS and Boardman, Suhr, Curry & Field, a copy of which is annexed to this file; and, be it

Further Resolved, That the City Comptroller is authorized to transfer the sum of \$15,000 to the City Attorney's office budget for the stated project, and that the expenditure of funds directed herein to a case other than herein specified shall be subject to further direction of the Common Council.

City Attorney  
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11/9/99