



Legislation Text

File #: 220584, Version: 0

220584
ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Fred N. and Leigh W. Tabak et al. v. City of Milwaukee*

This resolution authorizes settlement of claims raised by Plaintiffs, Fred N. and Leigh W. Tabak in the lawsuit entitled *Fred N. and Leigh W. Tabak et al. v. City of Milwaukee*, Milwaukee County Case No. 2021CV3266, for the total amount of \$13,337.63.

Whereas, Plaintiffs filed a lawsuit against the City entitled *Fred N. and Leigh W. Tabak et al. v. City of Milwaukee*, Milwaukee County Case No. 2021CV3266, for the partial refund of property tax previously paid, on the basis that their 2020 property tax assessment was excessive; and

Whereas, Plaintiffs have similar objections to their 2021 and 2022 assessments and further litigation is imminent; and

Whereas, Plaintiffs have agreed to settle the claims raised in the above-referenced lawsuit and pending objections for the total amount of \$13,337.63; and

Whereas, the City Attorney recommends that the City of Milwaukee settle this lawsuit and resolve these claims now; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee, the City Attorney is authorized to enter into a settlement agreement between the City of Milwaukee and the Plaintiffs referred to herein and to execute and approve all documents and take all action necessary to carry out the terms and conditions of said agreement; and be it

Further Resolved, that in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable in full and final settlement of the claims referenced above, to be charged to the 2022 Remission of Taxes Special Purpose Account No. 0001-9990-S163-006300, in the sum of \$13,337.63 and made payable to Fred and Leigh Tabak, 6045 N. Green Bay Avenue, Glendale, WI 53209, in final settlement of these claims and lawsuits; and be it

Further Resolved, that for and in consideration of the above-referenced payment, the Plaintiffs will provide to the City a release of claims relative to their assessments as well as a stipulation and proposed order to dismiss the claims raised in the pending court action.

City Attorney

Allison N. Flanagan
August 10, 2022