



Legislation Text

File #: 031600, **Version:** 0

031600
ORIGINAL

THE CHAIR

Resolution authorizing settlement of the lawsuit entitled Kim Linwood and Robert White v. City of Milwaukee, Case No. 03-C-0384 (E.D. Wis.). (City Attorney)

This resolution authorizes settlement of the lawsuit of Kim Linwood and Robert White v. City of Milwaukee, in the amount of \$15,637.26.

Whereas, Plaintiffs Kim Linwood and Robert White commenced a lawsuit under the Fair Labor Standards Act on May 3, 2003 contending they had worked in excess of 40 hours in certain work weeks from May 2, 2000 to the date of the complaint without receiving overtime compensation for hours worked in excess of 40, and sought back overtime pay, attorney's fees, costs of the action, and liquidated damages in an amount equal to the amounts due each plaintiff for unpaid overtime compensation; and

Whereas, The parties have agreed to settle this lawsuit (subject to Common Council approval) and in consideration of a release from the plaintiffs, the City has agreed to pay \$3,537.09 to Kim Linwood, \$6,751.67 to Robert White, and \$5,348.50 to their attorney, F. Thomas Olsen, for attorney's fees and costs; and

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

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are hereby authorized to direct to issue a City checks in the amount of \$3,537.09 to Kim Linwood, \$6,751.67 to Robert White, and \$5,348.50 to F. Thomas Olsen, in full and final settlement of this lawsuit, upon receipt of a release of claims, approved as to form and execution by the City Attorney, said amounts to be charged as follows: the payments to Kim Linwood and Robert White are to be charged to the Salary and Wage Fund, Account No. 0001-3281-0100-600101-R999; the payment to F. Thomas Olsen for attorney's fees and costs of the action to be charged to the Damages and Claims Fund, Account No. 0001-1490-636506-2631-S118.

City Attorney

DLS:mll

02/26/04

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