



Legislation Details (With Text)

File #:	151339	Version:	0
Type:	Resolution	Status:	Passed
File created:	12/15/2015	In control:	JUDICIARY & LEGISLATION COMMITTEE
On agenda:		Final action:	1/19/2016
Effective date:			
Title:	Resolution authorizing settlement of claims raised by plaintiffs in litigation entitled <i>Ashford, et al. v. City of Milwaukee, et al.</i> , related lawsuits, and the related claims of claimants in certain matters that have not been filed in court, referred to herein as the Strip Search and Body Cavity Cases for the total amount of \$5,000,000.		
Sponsors:	THE CHAIR		
Indexes:	CLAIMS, MUNICIPAL LIABILITY		
Attachments:	1. City Attorney Letter, 2. Fiscal Impact Statement, 3. Global Settlement Agreement.pdf		

Date	Ver.	Action By	Action	Result	Tally
12/15/2015	0	COMMON COUNCIL	ASSIGNED TO		
12/17/2015	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/11/2016	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:1
1/19/2016	0	COMMON COUNCIL	ADOPTED	Pass	12:2
1/28/2016	0	MAYOR	SIGNED		

151339
ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims raised by plaintiffs in litigation entitled *Ashford, et al. v. City of Milwaukee, et al.*, related lawsuits, and the related claims of claimants in certain matters that have not been filed in court, referred to herein as the Strip Search and Body Cavity Cases for the total amount of \$5,000,000.

This resolution authorizes settlement of claims raised by the plaintiffs and claimants in the Strip Search and Body Cavity Search Cases for the total amount of \$5,000,000 in full and final settlement of all claims for relief, including attorney fees, costs, compensatory and punitive damages and any other damages that are, or could be raised, in the suits and claims referenced herein, to be divided into payments for attorney fees, costs and damages as set forth below.

Whereas, Plaintiffs and claimants filed civil rights lawsuits against the City of Milwaukee and certain police officers of the City of Milwaukee pending in the United States District Court for the Eastern District of Wisconsin entitled: *Ashford, et al. v. City of Milwaukee, et al.*; *R.M. v. City of Milwaukee, et al.*; *D.J.B., et al. v. City of Milwaukee, et al.*; *Biami, et al. v. City of Milwaukee, et al.*, 13-CV-00771; *Caine v. City of Milwaukee, et al.*, 14-CV-01548; *Collier v. City of Milwaukee, et al.*, 15-CV-00311; *Dotson v. City of Milwaukee, et al.*, 15-CV-00197; *Freeman v. City of Milwaukee, et al.*, 13-CV-00918; *Gibson v. City of Milwaukee, et al.*, 13-CV-01021; *Hoskin v. City of Milwaukee, et al.*, 13-CV-00920; *Lawrence v. City of Milwaukee, et al.*, 15-CV-00312; *Mann v. City of Milwaukee, et al.*, 13-CV-00919; *Mukes v. City of Milwaukee, et al.*, 13-CV-01268; *Phillips v. City of Milwaukee, et al.*, 15-CV-00679; *R.S., et al. v. City of Milwaukee, et al.*,

14-CV-01485; *Ragland v. City of Milwaukee, et al.*; 13-CV-01118; *Wright v. City of Milwaukee, et al.* 13-CV-01028; and unfiled claims asserted by: Jeremiah Chappel; Daniel Corder; Damon Evans; Rodney Grandberry; Cortland Love; Christian McGinnis Justin Mosby; and, Brian Patterson, referred to herein as the Strip Search and Body Cavity Cases; and

Whereas, Plaintiffs and claimants and the City of Milwaukee have entered into an agreement to settle the matters raised in the above-referenced lawsuit and claims for the total amount of \$5,000,000; and

Whereas, The City Attorney recommends that the City of Milwaukee settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney is authorized to enter into the Global Settlement Agreement between the City of Milwaukee and the plaintiffs and claimants referred to herein, and to execute and approve all documents and take all actions necessary to carry out the terms and conditions of said agreement; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue City checks as follows, as soon as practicable, in full and final settlement of these claims and lawsuits, to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300: the sum of \$926,076.70 to the People's Law Office for attorney fees and costs, and the sum of \$981,081 to the People's Law Office client trust account for distribution to and on behalf of their clients; the sum of \$508,368.29 to Loevy and Loevy for attorney fees and costs, and the sum of \$1,082,667 to the Loevy and Loevy client trust account for distribution to and on behalf of their clients; the sum of \$442,294.22 to The Shellow Group for attorney fees and costs; the sum of \$357,431.99 to Samster, Konkell & Safran, S.C. for attorney fees and costs, and the sum of \$597,015 to Samster, Konkell & Safran, S.C. client trust account for distribution to and on behalf of their clients; and, the sum of \$49,655.80 to Alex Flynn and Associates for attorney fees and costs, and \$55,410 to the Alex Flynn and Associates client trust account for distribution to and on behalf of his client; and, be it

Further Resolved, That the funding of the settlement amount will be authorized by a resolution contemporaneously approved by the Common Council, and that the proper City officers are authorized to make the necessary transfers to the appropriate accounts or funds to dispense the settlement amount.

City Attorney
MRH/mh
December 15, 2015

1032-2013-1955:220745

Technical Corrections -- James R. Owczarski -- January 14, 2016