



Legislation Details (With Text)

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Title: Resolution authorizing payment of a judgment entered by U.S. Bankruptcy Court in the lawsuit titled Kevin C. Williams v. City of Milwaukee.

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS, SUITS PAYMENT

Attachments: 1. Cover Letter, 2. Fiscal Impact

Date	Ver.	Action By	Action	Result	Tally
4/18/2017	0	COMMON COUNCIL	ASSIGNED TO		
4/24/2017	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
5/1/2017	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/9/2017	0	COMMON COUNCIL	ADOPTED	Pass	15:0
5/19/2017	0	MAYOR	SIGNED		

170082

ORIGINAL

THE CHAIR

Resolution authorizing payment of a judgment entered by U.S. Bankruptcy Court in the lawsuit titled *Kevin C. Williams v. City of Milwaukee*.

This resolution authorizes payment of a judgment in favor of, and settlement with, plaintiff Kevin C. Williams in *Kevin C. Williams v. City of Milwaukee*, Case No. 2016-CV-0079 (U.S. District Court, on appeal from Bankruptcy Court) and adversary proceeding No. 11-02527 (U.S. Bankruptcy Court) for the total amount of \$137,974.98.

Whereas, Kevin C. Williams ("Plaintiff") brought a successful adversary proceeding in his Chapter 13 bankruptcy case to avoid as a fraudulent transfer the In Rem Tax Foreclosure Judgment obtained by the City in respect of Plaintiff's former property at 3202 North Sherman Boulevard and obtained a judgment in his favor (the "Judgment"); and

Whereas, The Judgment was entered by the U.S. Bankruptcy Court and, upon appeal, was affirmed by the U.S. District Court; and

Whereas, Plaintiff has agreed to satisfy the Judgment upon receipt of the sum of \$137,974.98; and

Whereas, The City Attorney recommends paying such amount in full satisfaction of the Judgment; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney is authorized to enter into a settlement agreement between the City and Plaintiff (the "Settlement Agreement") and otherwise to approve and execute all documents and take all actions to carry out the provisions of the Settlement Agreement; and, be it

Further Resolved, That pursuant to the City Attorney's direction, proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable, in full and final satisfaction of the Judgment, to be charged to the 2017 City Attorney's Damages and Claims Fund, Account No. 0001-1490-S118-006300 in the sum of \$137,974.98; and, be it

Further Resolved, That for and in consideration of the above-referenced payment, the Plaintiff will provide the City a receipt, acknowledgment and satisfaction of the Judgment.

City Attorney
Kevin P. Sullivan
April 17, 2017
1060-2011-2045:238572