



Legislation Details (With Text)

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File created: 9/5/2018 **In control:** COMMON COUNCIL

On agenda: **Final action:** 9/25/2018

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Title: Resolution authorizing settlement of claims in the lawsuit entitled Haven Funds, LLC v. City of Milwaukee, for the total amount of \$17,047.88.

Sponsors: THE CHAIR

Indexes: CLAIMS, MUNICIPAL LIABILITY

Attachments: 1. Fiscal Impact Statement, 2. Letter to Committee

Date	Ver.	Action By	Action	Result	Tally
9/5/2018	0	COMMON COUNCIL	ASSIGNED TO		
9/17/2018	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
9/25/2018	0	COMMON COUNCIL	ADOPTED	Pass	14:0
10/4/2018	0	MAYOR	SIGNED		

180749

ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Haven Funds, LLC v. City of Milwaukee*, for the total amount of \$17,047.88.

This resolution authorizes settlement of claims raised by the Plaintiff, Haven Funds, LLC, in the lawsuit entitled *Haven Funds, LLC v. City of Milwaukee*, Milwaukee County Case No. 2017-CV-4891, for the total amount of \$17,047.88.

Whereas, Plaintiff filed a lawsuit against the City entitled *Haven Funds, LLC v. City of Milwaukee*, Milwaukee County Case No. 2017-CV-4891, for the partial refund of property tax assessments previously paid, on the basis that its 2016 and 2017 property tax assessments were excessive; and

Whereas, Plaintiff has agreed to settle the claims raised in the above-referenced lawsuit for the total amount of \$17,047.88, inclusive of interest, and included in this settlement is a resolution of Plaintiff's 2018 excessive assessment claims; and

Whereas, The City Attorney recommends that the City of Milwaukee settle this lawsuit 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 Plaintiff 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 as outlined in the above-referenced lawsuit, to be charged to the 2018 Remission of Taxes Fund Special Purpose Account No. 0001-9900-S163-006300, the sum of \$17,047.88, made payable to the Trust Account of von Briesen & Roper, s.c. in final settlement of this lawsuit; and, be it

Further Resolved, That for and in consideration of the above-referenced payment, the Plaintiff will provide to the City a release of claims and a stipulation and proposed order to dismiss the claims raised in the pending court action.

City Attorney
Hannah R. Jahn
August 27, 2018