



## Legislation Details (With Text)

<b>File #:</b>	201503	<b>Version:</b>	0
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	3/2/2021	<b>In control:</b>	COMMON COUNCIL
<b>On agenda:</b>		<b>Final action:</b>	3/23/2021
<b>Effective date:</b>			
<b>Title:</b>	Resolution authorizing settlement of claims in the lawsuit entitled Andre J. Smith v. City of Milwaukee, et al., U.S.D.C. Case Number 18-cv-01797.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	SUITS SETTLEMENT		
<b>Attachments:</b>	1. Smith Common Counsel Letter.pdf, 2. Smith Fiscal Impact Statement.pdf		

Date	Ver.	Action By	Action	Result	Tally
3/2/2021	0	COMMON COUNCIL	ASSIGNED TO		
3/15/2021	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
3/23/2021	0	COMMON COUNCIL	ADOPTED	Pass	15:0
3/25/2021	0	MAYOR	SIGNED		

201503  
ORIGINAL  
THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Andre J. Smith v. City of Milwaukee, et al.*, U.S.D.C. Case Number 18-cv-01797.

This resolution authorizes a settlement payment in the lawsuit *Andre J. Smith v. City of Milwaukee, et al.*, U.S.D.C. Case Number 18-cv-01797 in the amount of \$17,500.00.

Whereas, the plaintiff, Andre J. Smith, filed a federal civil rights lawsuit against the City of Milwaukee, and several police officers, seeking an unspecified amount in damages for an allegedly unlawful search and seizure during the plaintiff's arrest on January 1, 2018; and

Whereas, the plaintiff has agreed to settle his claims against the City of Milwaukee and its officers through a settlement agreement providing for payment of the total amount of \$17,500.00; and

Whereas, the City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay a settlement of the claims against it and its officers in this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials be and are hereby authorized and directed to issue a City check in the amount of \$17,500.00 payable to the order of Pinix Law, LLC - IOLTA Trust Account, in full and final settlement of all monetary damages sought in this lawsuit, including reasonable attorney's fees and costs, on receipt of a Release of Claims, approved as to form and

execution by the City Attorney, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; 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 disburse the settlement amount.

City Attorney

NEG:cdr

March 1, 2021

1032-2018-2209.001/273545