



## Legislation Details (With Text)

**File #:** 090835 **Version:** 0  
**Type:** Resolution **Status:** Passed  
**File created:** 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:** **Final action:** 11/3/2009  
**Effective date:**

**Title:** Resolution authorizing settlement of the lawsuit entitled Minerva Castillo and Joaquin C. Castillo, plaintiffs, and Michael L. Leavitt, Secretary of Dept. of Health & Human Services, involuntary plaintiffs, v. City of Milwaukee, defendant.

**Sponsors:** THE CHAIR

**Indexes:** LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT

**Attachments:** 1. City Attorney Letter, 2. Fiscal Note.pdf, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/26/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/3/2009	0	COMMON COUNCIL	ADOPTED	Pass	14:0
11/13/2009	0	MAYOR	SIGNED		

090835  
ORIGINAL

### THE CHAIR

Resolution authorizing settlement of the lawsuit entitled *Minerva Castillo and Joaquin C. Castillo*, plaintiffs, and *Michael L. Leavitt, Secretary of Dept. of Health & Human Services*, involuntary plaintiffs, v. *City of Milwaukee*, defendant.

This resolution authorizes the settlement of the lawsuit of *Minerva Castillo, et al. v. City of Milwaukee*, Case No. 08-CV-008444, in the amount of \$23,646.17.

Whereas, The plaintiff filed a lawsuit alleging personal injury as a result of an incident occurring on April 21, 2005 in the area of South 9<sup>th</sup> Street and West Oklahoma Avenue in the City of Milwaukee; and

Whereas, This matter was tried to a jury on September 28-29, 2009; and

Whereas, The jury found the City of Milwaukee to be 90% negligent and plaintiff 10% negligent, and awarded damages to plaintiffs; and

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

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are

hereby authorized and directed to issue a City check in the amount of \$23,646.17, payable to the client Trust Account of Cannon & Dunphy, S.C., in full and final settlement of this claim, upon receipt of a release of claim, approved as to form and execution by the City Attorney, said amount to be charged to the Damage and Claims Fund, Account No. 006300 0001 1490 2631 S118-2009.

City Attorney

PAF:enm

October 7, 2009

1029-2009-2521/150679