



## Legislation Details (With Text)

**File #:** 100250 **Version:** 0  
**Type:** Resolution **Status:** Passed  
**File created:** 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:** **Final action:** 7/7/2010

**Effective date:**

**Title:** Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT

**Attachments:** 1. Cover Letter.pdf, 2. Fiscal Note.pdf, 3. Settlement Draft Request.PDF, 4. Hearing Notice List, 5. Executed Full Settlement and Release

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/28/2010	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/7/2010	0	COMMON COUNCIL	ADOPTED	Pass	13:0
7/9/2010	0	MAYOR	SIGNED		

100250  
ORIGINAL  
890916  
THE CHAIR

Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

This resolution authorizes payment of the claim of Benjamin Smith in the amount of \$25,000.

Whereas, The claimant, Benjamin Smith (C.I. File No. 06-L-99), through his attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on November 8, 2006, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to

Benjamin Smith and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, 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 law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

City Attorney

Rudolph M. Konrad

RMK:lmb

06/08/2010

1032-2009-3119:158608