



Legislation Details (With Text)

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Title: Resolution to approve the settlement agreement in the matter of Bernson v. City of Milwaukee and Kurt Kezeske.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, SUITS PAYMENT, SUITS SETTLEMENT

Attachments: 1. Cover Letter.pdf, 2. Fiscal Impact Statement.pdf, 3. Settlement Agreement.pdf, 4. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/8/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/8/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/8/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/12/2011	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
9/20/2011	0	COMMON COUNCIL	ADOPTED	Pass	15:0
9/29/2011	0	MAYOR	SIGNED		

110554
ORIGINAL

THE CHAIR

Resolution to approve the settlement agreement in the matter of *Bernson v. City of Milwaukee and Kurt Kezeske*.

This resolution authorizes settlement of litigation pending in the United States District Court for the Eastern District of Wisconsin, *Bernson v. City of Milwaukee and Kurt Kezeske*, U.S.D.C. Case No. 10C00009 (a/k/a *Wisconsin Carry, et al v. City of Milwaukee, et al*) in the amount of Six Thousand Five Hundred and no/100 Dollars (\$6,500) for all damages of any nature, including compensatory and punitive damages, or other economic damages, attorneys fees and costs, and any other claim for damages that could be brought concerning the subject matter of the litigation.

Whereas, Wisconsin Carry, Inc., and David Bernson filed a complaint in the United States District Court for the Eastern District of Wisconsin, alleging among other things that Mr. Bernson's constitutional rights had been violated by application of the Wisconsin Gun Free School Zone Act; and

Whereas, The parties have agreed to settle this lawsuit in the amount of Six Thousand Five Hundred and no/100 Dollars (\$6,500), for all damages, attorney fees, costs, compensatory damages, punitive

damages and any other claims for damages of any nature that could have been brought, as set for the in the attached proposed Settlement Agreement and General Release; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney be and hereby is authorized to execute the attached Settlement Agreement and General Release, and such further documents as may be necessary and related thereto; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that upon execution of the general release by plaintiff, as approved by the City Attorney, the proper City officers be and hereby are authorized and directed to issue a City check as follows: \$6,500 to the trust account of Attorney John R. Monroe; and, be it

Further Resolved, That these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118.

City Attorney

MRH:

August 22, 2011

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