



## Legislation Text

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**File #:** 021032, **Version:** 0

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021032  
ORIGINAL

### THE CHAIR

Resolution authorizing payment of the judgment in the lawsuit entitled Oconomowoc Residential Programs, Inc., et al. v. City of Milwaukee, Case No. 97-C-251. (City Attorney)

This resolution authorizes the payment of the judgment in the lawsuit of Oconomowoc Residential Programs, Inc., et al. v. City of Milwaukee in the amount of \$590,912.81.

Whereas, Oconomowoc Residential Programs, Inc., Janet K. and Valerie D. have obtained a judgment against the City of Milwaukee in the amount of \$590,912.81 in a federal fair housing and disabilities act case arising out of the refusal to grant an accommodation under the City's ordinances relating to the spacing of community based residential facilities; and

Whereas, The City pursued an appeal of the trial court's judgment against the City, but the federal appeals court ruled in favor of the plaintiffs; and

Whereas, The City Attorney has concluded that a petition to the United States Supreme Court would not likely result in any reversal of the lower courts' decisions; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this judgment; 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 \$590,912.81, payable to the order of the Trust Account of McNally, Maloney & Peterson, S.C. in full and final satisfaction of this judgment, upon receipt of a written Satisfaction of Judgment, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claims Fund, Account No. 636506 0001 1490 2631 S118-2002.

City Attorney

JAS

October 28, 2002

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