



Legislation Text

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ORIGINAL
THE CHAIR

Resolution to authorize settlement of an alleged discrimination case based upon disability filed in the United States District Court for the Eastern District of Wisconsin entitled *Albert L. Owens, Jr. v. City of Milwaukee Department of Public Works*, Case No. 03-C-0995.

This resolution authorizes settlement of a case pending in the United States District Court for the Eastern District of Wisconsin captioned *Albert L. Owens, Jr. v. City of Milwaukee*, Case No. 03-C-0995 in the amount of \$67,500.00 for all damages of any nature, including compensatory damages, back pay, front pay, attorneys fees and costs, and any other claim for damages that could be brought concerning the subject matter of employment discrimination arising out of Albert L. Owens, Jr.'s employment by the City of Milwaukee.

Whereas, The plaintiff, Albert L. Owens, Jr., filed the above captioned case claiming discrimination based upon disability in violation of the Americans With Disabilities Act of 1990, as amended, in connection with his being laid off; and

Whereas, The parties have agreed to settle the case in the amount of \$67,500.00 payable as damages, attorney fees, costs, compensatory damages and any other claims for damages of any nature that could have been brought, as set forth in the attached proposed Settlement Agreement and Release; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle the case, and 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, be it

Further 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 City check in the amount of \$67,500.00, payable to Albert L. Owens, Jr. and Robert M. Mihelich, as and for back pay, damages, attorney fees, costs, compensatory damages and any other claims for damages of any nature that could have been brought, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 0001 S118 006300.

City Attorney
LAT:enm
May 2, 2006

103957/1047-2003-3383