



Legislation Text

File #: 040339, **Version:** 0

040339
ORIGINAL
THE CHAIR

Resolution to authorize settlement of race discrimination lawsuit entitled Ronald Ferrill v. City of Milwaukee, United States District Court for the Eastern District of Wisconsin, Case No. 03-C-0539. (City Attorney)

This resolution authorizes settlement of litigation pending in the United States District Court for the Eastern District of Wisconsin, Ronald Ferrill v. City of Milwaukee, Case No. 03-C-0539 and all related claims in the amount of \$188,500.00 for all damages of any nature, including compensatory damages, back pay, front pay, lost pension or other benefits, attorneys fees and costs, and any other claim for damages that could be brought concerning the subject matter of the litigation, as set forth in the Settlement Agreement attached to the file.

Whereas, The plaintiff, Ronald Ferrill, filed the above captioned lawsuit claiming discrimination based upon his race, in violation of Title VII of the Civil Rights Act of 1964, as amended, in connection with his being discharged from employment as a Milwaukee Police Officer in 1990; and

Whereas, The parties have agreed to settle this lawsuit in the amount of \$188,500.00 payable as follows: \$62,162.00 as attorney fees and costs payable to Attorney Thomas Nelson, Shneidman, Hawks & Ehlke, S.C.; \$30,506.25 payable to Ronald Ferrill for back pay, and \$95,831.75 to be paid as damages in regard to pension benefits, or alternatively, in the event Ronald Ferrill does not resume police duties, then this amount will be payable as additional back pay, as set for the in the proposed Settlement Agreement and Release attached to the file; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; 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, That the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$30,506.25, payable to Ronald Ferrill, as and for back pay, subject to all appropriate federal and state tax withholdings, 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 Wages and Salary Account for the Milwaukee Police Department, Account No. 0001-3310-006000; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$62,162.00 payable to Attorney Thomas Nelson, Shneidman, Hawks & Ehlke, S.C., for attorney fees and costs, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$95,831.75 to Ronald Ferrill or his designee as and for damages relating

to pension benefits, and that these funds, if paid as damages in regard to pension benefits, shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118; provided, however, that if it is determined that Ronald Ferrill is unable to resume police duties, then these funds shall be paid as back pay and shall be charged to the Wages and Salary Account for the Milwaukee Police Department, Account No. 0001-3310-006000.

City Attorney

MRH:

July 1, 2004

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