



Legislation Text

File #: 191424, **Version:** 0

191424

ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Enrique Avina, Jr. v. Todd Bohlen and the City of Milwaukee*.

This resolution authorizes settlement of claims raised by the Plaintiff, Enrique Avina, Jr., in the lawsuit entitled *Enrique Avina, Jr. v. Todd Bohlen and the City of Milwaukee*, Eastern District of Wisconsin, Case No. 13-CV-1433, for the total amount of \$68,000.00.

Whereas, Plaintiff filed a lawsuit entitled *Enrique Avina, Jr. v. Todd Bohlen and the City of Milwaukee*, Eastern District of Wisconsin, Case No. 13-CV-1433, against former Milwaukee Police Officer Todd Bohlen and the City seeking damages for an alleged instance of a violation of his civil rights secured by the United States Constitution; and

Whereas, Plaintiff has agreed to settle the claims raised in the above-referenced lawsuit for the total amount of \$68,000.00, inclusive of all costs and fees, including attorney's fees; and

Whereas, the City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this claim, now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee, the City Attorney is authorized to enter into a settlement agreement between the City of Milwaukee and the Plaintiff referred to herein and to execute and approve all documents and take all action necessary to carry out the terms and conditions of said agreement; and be it

Further Resolved, that in compliance with the City Attorney's direction, the proper City officers be and hereby are authorized and directed to issue a City check, as soon as practicable in full and final settlement of the claims as outlined in the above-referenced lawsuit, to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300, in the sum of \$68,000.00 and made payable to the Porter Law Firm IOLTA Trust Account for the benefit of Enrique Avina in final settlement of this lawsuit; and be it

Further Resolved, that for and in consideration of the above-referenced payment, the Plaintiff will provide to the City a release of claims and a stipulation and proposed order to dismiss the claims raised in the pending court action.

City Attorney

Robin A. Pederson

November 8, 2019
1032-2013-2905.002