



## Legislation Text

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200101

ORIGINAL

### THE CHAIR

Resolution authorizing settlement of claims in the lawsuits entitled *CP-South Howell LLC et al. v. City of Milwaukee*.

This resolution authorizes settlement of claims raised by Plaintiffs, CP-South Howell LLC et al., in the lawsuits entitled *CP-South Howell LLC et al. v. City of Milwaukee*, Milwaukee County Case Nos. 2017CV2152 and 2019CV4218, for the total amount of \$507,000.

Whereas, Plaintiffs filed two lawsuits against the City entitled *CP-South Howell LLC et al. v. City of Milwaukee*, Milwaukee County Case Nos. 2017CV2152 and 2019CV4218, for the partial refund of property tax assessments previously paid, on the basis that their 2016-2019 property tax assessments were excessive and violated Article VIII, section I of the Wisconsin Constitution (“Uniformity Clause”); and

Whereas, Plaintiffs have agreed to settle the claims raised in the above-referenced lawsuits for the total amount of \$507,000; and

Whereas, the City Attorney recommends that the City of Milwaukee settle these lawsuits now; 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 Plaintiffs 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 2020 Remission of Taxes Special Purpose Account No. 0001-9990-S163-006300, in the sum of \$507,000 and made payable to Michael Best & Friedrich LLP Client Trust Account, which is located at 790 N. Water Street, Suite 2500, Milwaukee, WI 53202, in final settlement of these lawsuits; and be it

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

City Attorney

Allison N. Flanagan  
May 19, 2020  
1056-2017-584:267831