



Legislation Text

File #: 211530, **Version:** 0

211530
ORIGINAL

THE CHAIR

Resolution authorizing settlement of claims in the lawsuit entitled *Jerry Smith, Jr. v. City of Milwaukee, Melvin Finkley, and Adam Stahl*, Eastern District Wisconsin Court Case Number 18-C-0143.

This resolution authorizes the settlement of claims against the City of Milwaukee in the lawsuit *Jerry Smith, Jr. v. City of Milwaukee, et al.*, via payment in the amount of \$650,000.00.

Whereas, the plaintiff, Jerry Smith, Jr. filed a federal civil rights lawsuit against the City of Milwaukee and two Milwaukee Police Department officers, Melvin Finkley and Adam Stahl, seeking an unspecified amount of damages for excessive use of force resulting in the unarmed plaintiff being shot three times and suffering permanent injuries during an encounter that took place on August 31, 2017; and

Whereas, the plaintiff has agreed to settle his claims against the City of Milwaukee and its officers through a settlement agreement providing for payment of the total amount of \$650,000.00; and

Whereas, the City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay a settlement of the claims against it and its officers in this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials be and are hereby authorized and directed to issue a City check in the amount of \$650,000.00 payable to the order of trust account of Attorney Robert F Sfasciotti, 3635 Daisy Lane, Racine, WI 53405, in full and final settlement of all monetary damages sought in this lawsuit, including reasonable attorney's fees and costs, on receipt of a Release of Claims, approved as to form and execution by the City Attorney, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the proper City officers are authorized to make the necessary transfers to the appropriate accounts or funds to disburse the settlement amount.

City Attorney
YYM/cdr
January 13, 2022

1032-2018-707/278416