



## Legislation Text

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ORIGINAL

### THE CHAIR

Resolution to authorize settlement of benefit and interest claims made by Philip Sliwinski in *Sliwinski v. City of Milwaukee*.

This resolution authorizes settlement of benefit and interest claims made by Philip Sliwinski in *Sliwinski v. City of Milwaukee*, Case No. 07-CV-004479 in the amount of \$54,431.86 which represents payments for health and dental benefits and interest on unpaid back pay and the benefit payments from the time that Sliwinski was deemed by the Wisconsin Court of Appeals to have been improperly discharged until the time that Sliwinski was returned to the payroll pursuant to an order of the Circuit Court for Milwaukee County.

Whereas, Philip Sliwinski filed an action seeking pay and benefits for that period of time from the date of his discharge from the Milwaukee Police Department until the date of a court-ordered rehearing of his discharge before the Fire and Police Commission; and

Whereas, The Circuit Court for Milwaukee County issued orders effectively requiring that Philip Sliwinski be returned to the Milwaukee Police Department payroll for the period of time between his first and second hearings before the Fire and Police Commission of the City of Milwaukee and that he be reimbursed for health and dental coverage he was required to purchase for the time in question and that he be paid interest on the amounts due to him until such time as he received the court-ordered pay and benefit reimbursements; and

Whereas, The Milwaukee Police Department has returned Philip Sliwinski to the payroll for the period of time in question and on July 9, 2009 paid him the back pay due to him; and

Whereas, The City of Milwaukee pursuant to the orders of the courts continues to owe Philip Sliwinski the reimbursement for the health and dental benefits he purchased as well as interest on the amounts due until paid; 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 proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$54,431.86, payable to Philip T. Sliwinski and the Trust Account of Cermele & Associates, S.C. which represents costs of the benefits purchased as well as the interest owed, 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 S118 006300.

City Attorney

JAS

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