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January 30, 2024

To the Honorable Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Settlement of *David Seager v. City of Milwaukee*
Milwaukee County Circuit Court Case No. 24-CV-9423

Dear Council Members:

Enclosed please find a proposed resolution authorizing the payment of the settlement amount regarding the claims asserted by the plaintiff in the above-noted case against the City of Milwaukee, as well as authorizing the settlement of said case. We respectfully request that the enclosed resolution also be referred to the Judiciary and Legislation Committee for review.

This lawsuit involves a class and collective action alleging violations of the Fair Labor Standards Act for non-exempt employees of the Milwaukee Fire Department. The Plaintiffs claim the City misclassified Battalion Chiefs and Deputy Chiefs as exempt in violation of the Fair Labor Standards Act (FLSA) and as a result, for the three years preceding the filing of the lawsuit the City underpaid those employees for overtime and other additional agreed compensation.

Because settlement in this matter is deemed appropriate given our review of the case, we recommend a settlement payment in an amount of up to \$1,000,000.00, as provided by the Settlement Agreement. We have enclosed an appropriate resolution for your convenience.

Very truly yours,



EVAN C. GOYKE
City Attorney

Electronically signed by Lisa A. Gilmore

LISA A. GILMORE
Assistant City Attorney

ECG/LAG/dpb

Enclosure

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