

RESOLUTION NO. 2008-73

**RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE
AUTHORIZING A COMPROMISE OF RACINE COUNTY'S SUBROGATION CLAIM IN
REGARD TO MARILYN J. LASHLEY**

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that the settlement of Racine County's subrogated claim for medical and disability payments in regard to Marilyn Lashley in the amount of \$25,000.00 is authorized and approved.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the Corporation Counsel is authorized to execute any releases or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading _____

**FINANCE AND HUMAN RESOURCES
COMMITTEE**

2nd Reading _____

BOARD ACTION

Karen A. Nelson, Chairman

Adopted _____

For _____

Against _____

Absent _____

Robert N. Miller, Vice-Chairman

VOTE REQUIRED: Majority

Thomas Pringle, Secretary

Prepared by:
Corporation Counsel

Russell A. Clark

Q. A. Shakoor, II

Van H. Wanggaard

Pamela Zenner-Richards

INFORMATION ONLY

WHEREAS, Racine County has a subrogated claim for medical and disability benefits paid out on behalf of its employee Marilyn J. Lashley in regard to a medical malpractice claim that occurred on or about October 28, 2004 and a resulting cause of action against her surgeon and his insurance carrier; and

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6 **WHEREAS**, there has been a court-ordered mediation in this case resulting in a
7 settlement of \$550,000.00; and

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9 **WHEREAS**, the plaintiff (employee), Marilyn Lashley, has argued that the
10 settlement does not make her whole for her injuries; and

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12 **WHEREAS**, the plaintiff has offered \$25,000.00 to resolve Racine County's liens
13 rather than litigate the made whole issue at a *Rimes* hearing before Judge Elsa Lamelas in
14 Milwaukee County Circuit Court, set for October 20, 2008; and

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16 **WHEREAS**, Racine County's total lien claim of \$485,280.63 has been agreed to be
17 reduced to the sum of \$25,000.00; and

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19 **WHEREAS**, the Office of Corporation Counsel and the Finance Committee have
20 reviewed this matter and recommend approval of this settlement.