

# Susman Godfrey L.L.P. Obtains \$45 Million Settlement for Milwaukee County During Trial Against Mercer (US), Inc.

Mercer (US), Inc.—formerly known as Mercer Human Resource Consulting—has agreed to pay \$45 million to plaintiffs Milwaukee County and the Milwaukee County Employee's Retirement System.

This settlement comes after the first two weeks of a jury trial before Chief Judge Charles N. Clevert of the Federal District Court of the Eastern District of Wisconsin.

This is one of the largest recoveries relating to allegations of actuarial negligence in the United States. Mercer denies the allegations.

The dispute arose over plaintiffs' allegations of professional negligence by Mercer, the nation's largest employee benefits firm while an actuarial consultant to Milwaukee County regarding passage of its 2000-2001 pension benefits package.

"This result is a tribute to the unity and persistence of Milwaukee County government and its Pension Board in pursuing this all the way to trial," said lead trial lawyer Ken McNeil of Susman Godfrey.

"This appears to be the largest recovery by a public government entity in Wisconsin history," said Jim Southwick, also a partner with Susman Godfrey.

Lexie White and Alex Kaplan of Susman Godfrey were also part of plaintiffs' trial team.

Leadership for Milwaukee County came from William Domina, Milwaukee County Corporation Counsel, Scott Walker, County Executive, Lee Holloway, Chair of the Milwaukee County Board of Supervisors, and Dean Roepke, Chair of the Board of the Milwaukee County Employee's Retirement System.

Local counsel for the plaintiffs in the Milwaukee County case against Mercer included John Busch, partner at the Milwaukee firm of Michael Best & Friedrich LLP, as well as Chris Trebatoski, of the Milwaukee Firm of Weiss Berzowski Brady LLP.

In 2003, Ken McNeil and Susman Godfrey had obtained a \$40 million settlement recovery just before trial for the State of Wisconsin Investment Board, another Wisconsin pension fund, and other creditors against Anicom, Inc., a Chicago-based company. That case related to allegations of securities fraud.

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