

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff, and

MILWAUKEE BROTHERHOOD OF
FIREFIGHTERS, Plaintiff-Intervenor,

v.

CITY OF MILWAUKEE, et al. Defendants.

Civil Action No. 74-C-480

STIPULATION MODIFYING SUPPLEMENTAL ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, the Milwaukee Brotherhood of Firefighters, the City of Milwaukee, and the Milwaukee Professional Firefighters Association, Local 215, as follows:

1. The Milwaukee Professional Firefighters Association, Local 215, and certain incumbent Firefighters referenced in Exhibit A-1 of the Affidavit of Miriam Horwitz dated November 29, 2001 filed herein, have objected to the entry of the Supplemental Order in regard to the award of retroactive competitive seniority that may affect the seniority rights of incumbents within the Milwaukee Fire Department.
2. The parties agree that the Court may enter the Supplemental Order and the same shall have full force and effect for all purposes, except that the issue of whether the retroactive seniority provided for in paragraphs 48 and 49 of the Supplemental Order shall include retroactive competitive (as opposed to benefit) seniority, shall be held in abeyance, pending further order of the Court. As used herein, competitive seniority means seniority for purposes of layoffs, promotions, vacation selections, paid days off selections, and house and shift assignment selections.
3. The parties agree that regardless of the ultimate resolution of the objections referenced above by the District Court, or on appeal, all other terms contained in the Supplemental Order shall continue to be binding upon the parties, and upon all persons affected thereby.

Dated at Milwaukee, Wisconsin this 30th day of November 2001.

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On behalf of plaintiff-intervenor Milwaukee Brotherhood of Firefighters

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On behalf of the
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