



COMMISSION FILE NO: 26-066-5 **DATE INTRODUCED:** May 4, 2026

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Policy, Finance, and Personnel Committee

RELATING TO: Authorization to Spend an Amount Not to Exceed \$400,000 on eDiscovery Services by Digital Intelligence for Milwaukee County Case Number 2023CV007313 Milwaukee Metropolitan Sewerage District, et al. vs. Monsanto Company, et al.

SUMMARY:

The Commission is requested to authorize the Executive Director to approve the expenditure of an amount not to exceed \$400,000 on eDiscovery provider Digital Intelligence, which should be sufficient to complete discovery and preparation for trial in the matter of Milwaukee County Case Number 2023CV007313, Milwaukee Metropolitan Sewerage District, et al. vs. Monsanto Company, et al.

ATTACHMENTS: BACKGROUND KEY ISSUES RESOLUTION
FISCAL NOTE SBE OTHER _____

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COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

BACKGROUND

Authorization to Spend an Amount Not to Exceed \$400,000 on eDiscovery Services by Digital Intelligence for Milwaukee County Case Number 2023CV007313 Milwaukee Metropolitan Sewerage District, et al. vs. Monsanto Company, et al.

The District is currently in litigation against Monsanto Company related to its manufacture, and subsequent release into the environment, of polychlorinated biphenyls (PCB's) throughout the District's service area. The District and the City of Milwaukee, at this point, are splitting litigation costs equally. The current list of expenditures by the District are as follows:

Halling & Cayo, SC	\$ 24,434
Action Digital Document Solutions, LLC	\$ 19,600
Digital Intelligence	\$186,552
Professor Gerald Markowitz	\$ 3,800
Professor Richard Melstrom	\$ 11,025
Mertens Consulting, LLC	\$ 33,784
Ramboll	\$ 34,873
The Sigma Group	\$145,524
TOTAL:	\$459,592

Digital Intelligence is a well respected and experienced provider of eDiscovery services in large scale litigation. Digital Intelligence generally provides hardware, software, training, and professional services for the management and production of data. For eDiscovery, Digital Intelligence employs software that builds indices to organize and cross reference the large number of documents to ensure legally compliant document production. In this PCB litigation, the District has been compelled to turn over millions of records, including emails, reports, media, lab results, invoices, etc.

The current total spent on Digital Intelligence's eDiscovery efforts – as of the date of this resolution – is \$186,552. While the amount of costs incurred is slowly winding down, it is possible the District will exceed the Executive Director's \$300,000 authority before the litigation is concluded; therefore, it is prudent that staff seek Commission approval now to ensure that no time will be lost during litigation if costs exceed the Executive Director's authority of \$300,000. Staff requests that the Commission authorize the Executive Director to spend an amount not to exceed \$400,000 for Digital Intelligence's eDiscovery services in the above referenced litigation.

RESOLUTION

Authorization to Spend an Amount Not to Exceed \$400,000 on eDiscovery Services by Digital Intelligence for Milwaukee County Case Number 2023CV007313 Milwaukee Metropolitan Sewerage District, et al. vs. Monsanto Company, et al.

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to approve expenditures for Digital Intelligence in an amount not to exceed \$400,000 in the matter of Milwaukee County Case Number 2023CV007313, Milwaukee Metropolitan Sewerage District, et al. vs. Monsanto Company, et al.