

MIRIAM PORUSH  
3287 North Shepard Avenue  
Milwaukee, WI 53211

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RONALD D. LEONHARDT  
CITY CLERK

May 25, 2007

TO: Ronald D. Leonhardt  
City Clerk  
City Hall, Room 205  
200 East Wells Street  
Milwaukee, WI 53202

**NOTICE OF CLAIM OF  
PURSUANT TO WISCONSIN STATUTE, SECTION 893.80(1)(a)**

**PLEASE BE ADVISED** that Miriam Porush hereby gives Notice of Claims in all matters concerning injuries and damages, which were sustained as a result of the City of Milwaukee's negligence in making orders of revocation of occupancy and placing multiple notices and warnings on the Porush property without any legal authority to do so, conducting a media campaign against Mrs. Porush, and negligence in supervision of its employees.

**CLAIMANT:** MIRIAM PORUSH, 3287 North Shepard Avenue, Milwaukee, WI 53211. Telephone No. (414) 906-1606.

**PARTIES AGAINST WHOM CLAIM IS MADE:** City of Milwaukee, Ron Roberts, Angela Ferrill, Ald. Michael D'Amato.

**DATE OF DISCOVERY OF THE NEGLIGENT ACT OR OMISSION:** January 29, 2007.

**CIRCUMSTANCES:** The City of Milwaukee, Department of Neighborhood Services, served Mrs. Porush with an order that the Porush family, including their six children, along with all tenants, vacate the house located at 3287 N. Shepard Avenue in Milwaukee, Wisconsin, within one day. Mrs. Porush timely appealed this order and the City of Milwaukee Board of Zoning Appeals upheld the Department of Neighborhood Services order on February 28, 2006. The City of Milwaukee, Department of Neighborhood Services then placarded the house with a notice to all occupants stating that the occupancy permit had been revoked and that all occupants must vacate the building by March 3, 2006. Mrs. Porush timely appealed this order as well. On or about February 28, 2006 the Department of Neighborhood Services issued a news release about the alleged violations of Mrs. Porush, referring to her by name and stating that her family was required to vacate the property. The City, through its employees, also coordinated misleading news coverage, including allegations that seven people lived on the third floor of the residence, which guaranteed damage to Mrs. Porush's professional reputation. Litigation followed.

All tenants vacated after the City issued its order revoking occupancy. Mrs. Porush and her children continued to live under threat of eviction, under threat of daily penalties up to \$10,000, and with a reputation throughout the area as a result of the City's press conference and media campaign. Because of the City's actions, the UWM Housing Department would not allow Mrs. Porush to continue advertising her properties in the University system, leading to an inability to find renters for the Porush's campus properties. Because of the City's media campaign, tenants are unwilling to rent the Porush's other Milwaukee properties.

On January 29, 2007, the Circuit Court for Milwaukee County found that the City's various notices and orders were improper and not founded in the Municipal Ordinances.

**ITEMIZED STATEMENT OF RELIEF:**

Damage	Monetary Amount
1. Loss of rent for the property located at 3287 North Shepard Avenue, Milwaukee, WI	\$42,500
2. Required to pay utilities previously paid by tenants at 3287 North Shepard Avenue, Milwaukee, WI	\$2,500
3. Loss of rent on other properties due to inability to advertise on UWM system (does not include lost rent for 3287 N. Shepard Ave.)	\$120,000
4. Tenants vacated properties owned on Milwaukee's northwest side due to City's media campaign.	\$350,000
5. Legal fees necessitated by City's above actions.	\$41,000
6. Property taxes paid for space that could not be rented while the occupancy permit was revoked.	\$8,500
7. Lost property value as a result of the prohibition to sell the property while the occupancy permit was revoked.	\$37,000
8. Defamation of character.	\$50,000

**Total:**

**\$651,500**

*Miriam Porush*  
 \_\_\_\_\_  
 Miriam Porush

Sworn To and subscribed before me  
 this 25<sup>th</sup> day of May, 2007.

*[Signature]*

Notary Public, State of Wisconsin  
 My commission is permanent.