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January 4, 2010

## VIA EMAIL

jowcza@milwaukee.gov and lelmer@milwaukee.gov

Common Council Members c/o Office of the City Clerk City Hall, Room 205 200 East Wells Milwaukee, WI 53202

RE: <u>ADDENDUM</u> to the Report on the corrective actions of Monitronics International, Inc.'s and Monitronics Security, LP's License Renewal Applications – City of Milwaukee File No. 090864

Dear Common Council:

Please accept this as an Addendum to our filing of December 30, 2009 on behalf of Monitronics International, Inc. and Monitronics Security, LP (collectively "Monitronics") regarding its Corrective Action Plan related to the renewal of its alarm monitoring licenses.

Monitronics' prior submission did not affirmatively address settlement of prior civil citations related to alleged non-verified alarms. In our prior discussions with the City Clerk's Office, Monitronics expressed its willingness to settle these citations when its licenses were renewed. Monitronics anticipated settlement and immediate payment following the Common Council's action on its license renewal. We understand that the Council would like to know in advance what Monitronics proposes regarding the resolution of these citations.

At the outset, we respectfully submit that Monitronics is under no legal obligation to pay any of the civil citations related to the alleged non-verified alarms. None of the alleged prior citations were served on Monitronics as required by Wis. Stat. Sec. 801.11(5). Any citations easily could have been served on Monitronics through its known registered agent (CT Corporation) by regular US Mail (which the City previously has done). Because the citations were not served, Monitronics has not been given an opportunity to dispute the validity of any of the alleged non-verified claims.

In its Findings of Fact dated December 11, 2009, the Public Safety Committee found that 130 citations allegedly were issued but not served on Monitronics related to alleged non-verified

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alarms between January 1, 2008 and September 17, 2009. Monitronics elsewhere has objected to the propriety of the proceedings of the Public Safety Committee at its hearing on December 10, 2009. (See Monitronics' Objections filed with the City Clerk's office on December 17, 2009.) Monitronics hereby reasserts those objections. Notwithstanding the same, Monitronics offers to resolve the 130 alleged citations by the immediate payment of \$3,250 to the City of Milwaukee in the event that its alarm monitoring licenses are renewed at the Special Common Council meeting on Tuesday, January 5, 2010.

If we can address any issues relating to this proposal and/or the renewal of Monitronics' licenses, please do not hesitate to contact me.

Sincerely,

CAY A. Mille / ma

Cory L. Nettles

CLN/nia

cc: Robert Sherman