

CITY OF MILWAUKEE  
**NOTICE OF CIRCUMSTANCES OF CLAIMS AND CLAIMS**

'03 NOV -6 PM 4: 06

TO: City of Milwaukee Clerk  
Office of Clerk  
200 East Wells Street  
Milwaukee, WI 53202

**BY PERSONAL SERVICE**

OFFICE OF  
CITY ATTORNEY

Inspector C. Holst  
City of Milwaukee  
Department of Neighborhood Services  
1673 South 9<sup>th</sup> Street  
Third Floor  
Milwaukee, WI 53204

CITY OF MILWAUKEE  
03 NOV -5 PM 3: 49  
RONALD D. LEONHARD  
CITY CLERK

NOTICE IS HEREBY GIVEN, pursuant to Wisconsin Statute 893.80 of claims of Gene and Mary Werth, on behalf of themselves and their minor son, Joseph Werth, who live at 2036 South 28<sup>th</sup> Street, Milwaukee, Wisconsin, arising from the following circumstances, *inter alia*, which caused and resulted in losses, damages and personal injury.

At all times relevant to this notice Gene and Mary Werth and their son Joseph Werth were residents of the City of Milwaukee, residing at the above-referenced address. On July 8, 2003, Inspector C. Holst, an inspector from the City of Milwaukee Department of Neighborhood Services, came to the residence of Gene and Mary Werth and removed and discarded property belonging to Gene and Mary Werth and their son Joseph, including but not limited to the following:

1. Gas grill, purchased in approximately 1996 from Sears for \$219.00;
2. Weber grill, purchased in approximately 1998 for \$79.00;
3. Plastic folding table, purchased in approximately 1999 from HOB0 for \$69.00;
4. Plastic TYKE semi-truck, gift to Joseph from his parents Christmas 2000, purchased for \$24.00;
5. Remote control truck with remote, purchased in approximately 2001 from Radio Shack for \$85.00;
6. Case of 40 Craftsman tools, purchased in approximately 1996 from Sears for \$60.00;
7. Black & Decker Electric Lawn Mower, purchased in approximately 1996 for \$139.00;
8. Badminton set, gift to Joseph for his birthday in 2002 from his parents, purchased for \$25.00;
9. Bag of volcanic rocks for gas grill, purchased in approximately 2000 for \$19.00;
10. Rose bushes (destroyed), planted by Mary Werth and her mother before her mother's death, purchased for \$42.00.

In addition to the unlawful and unauthorized removal of the personal property of Gene and Mary Werth and their son Joseph, the City of Milwaukee, by Inspector C. Holst, grabbed Joseph Werth, a disabled minor child (DOB 1/21/87), by the arm, pushed him and used profanity to him, including but not limited to telling him to "get the fuck away," as Inspector C. Holst was removing and discarding toys belonging to Joseph Werth. Joseph Werth was injured and his parents obtained medical diagnoses and treatment for these injuries caused by Inspector C. Holst.

These claims are asserted for money damages in the amount of \$50,000 per claim, the statutory amount available for each of the claims asserted herein. However, these claims do not represent a full recitation of claims and amounts which may be available pursuant to 42 U.S.C. § 1983 and other federal civil rights law, which have no monetary limitation.

Please send written acknowledgment of these claims to the undersigned.

Dated at Milwaukee, Wisconsin, this 28<sup>th</sup> day of October, 2003.



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Werth