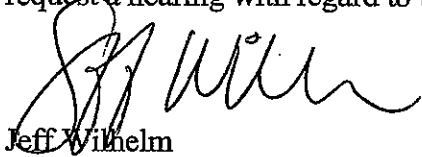


**BRUTUS INVESTMENTS, LLC
P.O. BOX 26791
WAUWATOSA, WI 53226
414-771-1086**

Grant Langley
City of Milwaukee
200 East Wells
Milwaukee, WI 53202

Dear City of Milwaukee Clerk,

This letter is in response to the claim denial I received from the City Attorney, Grant Langley and C.I. file No. 11-S-319. I would like to appeal the denial decision and request a hearing with regard to the matter. Thank you.



Jeff Wilhelm
Brutus Investments

CITY OF MILWAUKEE
RECEIVED
2011 DEC 16 PM 3:08
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2011 DEC 17 AM 12:09
RONALD D. LEONHARDT
CITY CLERK

FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

October 31, 2011

PROPERTY ADDRESS: 1032-1034 S. 19th Street, Milwaukee, WI
PROPERTY OWNERS: Jeff Wilhelm (414) 213-1823

This letter is for the purpose of filing a claim against the City of Milwaukee in accordance with the instructions sent to me for filing a claim. On October 26, 2011 at 8:45 a.m., the Milwaukee Police Department executed a search warrant at 1032 S. 19th Street, Milwaukee, WI which is a duplex I own. During the process, the door for the upper apartment (1032 S. 19th) was kicked in, as well as the side door for the lower unit which address is 1034 S. 19th. When I spoke to Officer Metz, who was one of the officers that carried out the search, he explained to me that the 1034 door was kicked in by mistake and that they thought it was a common door for both units, which it is not. The tenant of the 1034 address was home at the time and told us that if the police would have given him a few seconds to open the door they wouldn't have had to kick it in, destroying both the door and frame. The door frame for the 1032 address was also damaged but did not require a full replacement, only repair. The officer also explained that nothing illegal was found at the address stated on the warrant. He told me it appeared to have been a mistake and that the suspect they were looking for did not appear to live at the property. We have no one on the lease that describes the person they were looking for. I am very surprised at the lack of evidence needed to carry out a search warrant and kick in citizen's doors. There was no evidence of drug activity or the person they were looking for living at this location. The elderly tenants including an 80 year old man were all put in handcuffs as they searched the premises. My tenants are VERY upset. Also, had they looked at the clearly marked 1034 address, they should not have concluded that the side door was a common door. The door at the 1034 address needed to be replaced and we had it replaced with a similar door which was a 6-panel steel door. I am requesting \$525.89 for replacing the door, installation of the door, and repair of the frame. The receipt and pictures are enclosed. My address and contact information is listed below.

Sincerely,



Jeff Wilhelm
2405 N. Lefebber Avenue
Wauwatosa, WI 53213
jlwilhelm@hotmail.com
414-213-1823

2011 NOV - 3 PM 1:06

RECEIVED
CITY OF MILWAUKEE

CITY OF MILWAUKEE
2011 NOV - 2 PM 3:13
RONALD D. LEONHARDT
CITY CLERK

CLAIM AGAINST CITY FOR DAMAGES

1.) Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City.

Any other representations regarding reimbursement made by City employees are not legally binding on the City.

2.) Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

3.) In order to obtain reimbursement for a claim made against the City, **you must prove that the City or its employees acted unlawfully or negligently.**

4.) Before you can file a lawsuit against the City for reimbursement, State law requires that you first follow the claim procedures established by the Milwaukee City Clerk (286-2221).

METZ

414-397-8419

PD-43 2/98

MILWAUKEE POLICE DEPARTMENT DAMAGE NOTICE

(SUPERVISOR TO LEAVE IN PROMINENT PLACE AT SCENE)

The Milwaukee Police Department received a call for service on: 10-26-7011 at: 8⁴⁵ a.m./p.m.
(DATE) (TIME)
at: 1032 S. 19TH ST
(ADDRESS)

- to: confirm welfare of occupant(s)
 make an arrest
 execute a search warrant
 recover evidence of crime
 other (describe) _____

The following damage to premises or vehicle occurred:

OUTER RT DOOR DAMAGE TO
UPPER
OUTER SIDE DOOR DAMAGE

Supervisor's Name: LT JOHN KACTENORUK

(PRINT)

76
(DIST / WORK LOG.)

P/13
(SHIFT)

004221
(PAYROLL #)

SEE NOTICE ON REVERSE SIDE



LISBON STORM, SCREEN & DOOR
 5006 W. LISBON AVENUE
 Ph: 414-445-8899 Fax: 414-445-8608
 MILWAUKEE, WI 53210-2853
 Hours: M-F 8:00 AM - 5:30 PM
 Sat 8:00 AM 4:00 PM

www.lisbonstorm.com

SOLD TO
 DAVE BROWN
 2405 N. LEFEBER

SHIP TO
 1032-34 S. 19TH ST

WAUATOSA, WI 53213
 414-213-1823

Shipment #: 1

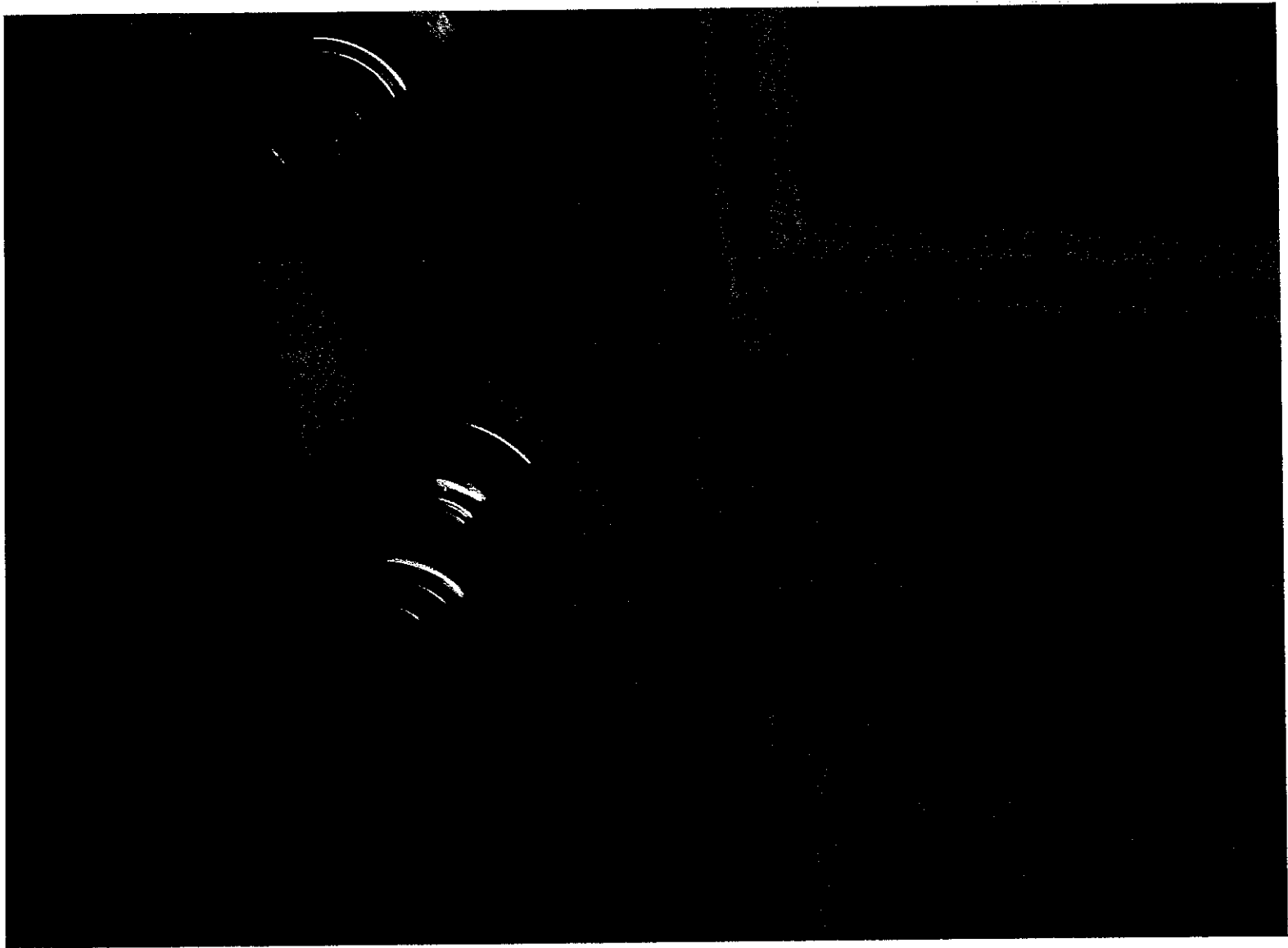


ACCOUNT #	CUSTOMER P.O.#	TERMS	ORDER #	ORDER DATE	SLSM#	INVOICE #	INVOICE DATE
42131823		CASH SALE	201711	10/26/11	EB		
ORDERED	BACKORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT	
1	0	1	EA	PRIMED 6-PNL SLAB ONLY 36 X 80 WOOD EDGE 2-HOLE BORE SODOOR *6 1/2 37 1/2 68 1/2 HINGE SPECS *OLD STYLE HOLE HOLE PLACEMENT 40 3/8 & 45 7/8 STANDARD SPACING *VIEWING DR FROM THE I/S OF HOME & PULLING TOWARDS YOU THE DR IS HINGED *ON THE LEFT SIDE HANDLES ON THE RIGHT.	239.000	239.00	
1	0	1	EA	PRIMED 6-PNL SLAB ONLY TO INSTALL NEW SLAB LABOR	150.000	150.00	
1	0	1	EA	NO JAMB 5-1/2" HOLE CENTER NJ55	34.000	34.00	
1	0	1	EA	TO FIX JAMB AREA AND INSTALL NEW JAMB LABOR	75.000	75.00	
October 26, 2011 14:46:41 OT:EB					1 / 0	MERCHANDISE	498.00
***** * PICK TICKET * *****					SHIP VIA	OTHER	0.00
SIGNED _____						TAX 5.600%	27.89
NO RETURNS ON SPECIAL ORDERS						FREIGHT	0.00
						TOTAL	525.89

PAGE 1 OF 1

CUSTOMER COPY









OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in suba. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.