

June 11, 2004

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Communication from Mary Koegel Fertel-Rust  
C.I. File No. 04-L-67

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Mary Koegel Fertel-Rust, 555 South Layton Boulevard, #722, Milwaukee, WI 53215 alleges that on May 10, 2004 she sustained damages when an employee of the Milwaukee Public Library threatened her while he trimmed a hedge located on the west side of the main library. She claims damages in the amount of 1,000,000,000.00.

Our investigation reveals that the Milwaukee Public Library indicates that on May 10, 2004 a custodial worker was trimming a hedge in this area. The claimant was sitting on a bench near the hedge and was the only person in the area. As the worker trimmed around the hedge and started to get close to the claimant, she told the worker to stop cutting the hedge. He suggested that the claimant move to the other bench, which was empty, while he trimmed this area. The claimant told the worker that he was not allowed to cut the bushes here. He said that this was his job. The claimant told the worker that she was going to report him and asked him for his name.

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He showed her his name badge. The claimant began to leave and went towards the Courthouse telling him again that she was going to report him. The City and its employees acted properly in this matter and would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1125-2004-1581:81850