

August 22, 2002

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

RE: Communication from Brian Blattler
C.I. File No: 02-L-79

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, Brian Blattler, 2354 North 59th Street, Milwaukee, WI 53210 alleges that on February 19, 2002 following an incident at his business, Milwaukee Lumber Company, located at 2239 North 13th Street, he was arrested by the Milwaukee Police Department and the location was not secured. Tools, equipment and materials were later taken. He claims damages in the amount 390,000.00.

Our investigation reveals that the police were sent to the location in response to a call regarding a subject with a gun. They observed the claimant with a shotgun and placed him in custody. Based on interviews at the location with the claimant's business partner and several workers, they determined that there was an ongoing dispute regarding the claimant's alleged misappropriation of business income.

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The individuals from the business that remained on the scene did not request that the location be secured. The City 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
1032-2002-1664:56927