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August 2, 2016

Mailed 8/4/16

Ms. Marion Kaiser Mr. Joe Capol 1125A S. 25<sup>th</sup> Street Milwaukee, WI 53204

> Re: C.I. File Nos. 1032-2016-1204; 1032-2016-1205 Communication from MARION KAISER; JOE CAPOL

Dear Ms. Kaiser and Mr. Capol:

We have received your claims for the amount of \$1 million and \$2 million in relation to the confiscation of your animals occurring on May 7, 2016 near 1125A South 25<sup>th</sup> Street.

The Milwaukee Police Department reports they received an anonymous tip from a citizen reporting a person living in a van with four dogs. The police investigated the call and responded to 1125 South 25<sup>th</sup> Street and found that you hoarded eight dogs in the van without proper food and water, as well as unsanitary living conditions. The dogs were removed and taken to the Milwaukee Area Domestic Animal Control Center.

Our investigation reveals the police took the necessary and appropriate action on a request to check on your welfare and the welfare of the animals. Because the police were not negligent in this matter, the City would not be liable. Accordingly, we are denying your claim.

STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER **HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN** JAY A. UNORA KATHRYN Z. BLOCK **KEVIN P. SULLIVAN** THOMAS D. MILLER JARELY M. RUIZ **ROBIN A. PEDERSON** JEREMY R. MCKENZIE PETER J. BLOCK **NICHOLAS P. DESIATO** JOANNA GIBELEV **JENNY YUAN** KAIL J. DECKER ALLISON N. FLANAGAN LA KEISHA W. BUTLER PATRICK J. LEIGL **HEATHER H. HOUGH** ANDREA J. FOWLER PATRICK J. MCCLAIN NAOMI E. GEHLING **CALVIN V. FERMIN BENJAMIN J. ROOVERS** Assistant City Attorneys



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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

GRANT F. LANGLEY

City Attorney

KARI GIPSON Investigator Adjuster

KBG:cdr

1032-2016-1204/230872