

STATE OF WISCONSIN
COUNTY

CITY OF WEST ALLIS

MILWAUKEE

ROBERT C. BRAUN
2160 S. 86th Street
West Allis, WI 53227

Plaintiff,

VS.

2nd AMENDED NOTICE OF CLAIM:
Correction of Typing Errors

893.80 Wis. Stats.

City of West Allis, A Municipal Corporation,
7523 W. Greenfield Ave., West Allis WI 53214
Mayor Dan Devine, City of West Allis,
7523 W. Greenfield Ave., West Allis WI 53214
Rebecca N. Grill, City Administrator Office,
7523 W. Greenfield Ave., West Allis WI 53214
Monica Shultz, Office of City Clerk,
7523 W. Greenfield Ave., West Allis WI 53214
Kathleen M. Klein, City of West Allis Poll Worker,
7523 W. Greenfield Ave., West Allis WI 53214
West Allis-West Milwaukee School District
1205 S. 70th St., West Allis WI 53214
Dr. Marty Lexmond, Superintendent of Schools
1205 S. 70th St., West Allis WI 53214
Brian Vissers, District Communication
1205 S. 70th St., West Allis WI 53214
West Allis Police Department
11301 W. Lincoln Ave., West Allis WI 53227
Patrick Mitchell, Chief of Police
11301 W. Lincoln Ave., West Allis WI 53227
Kyle Webster, Police Officer
11301 W. Lincoln Ave., West Allis WI 53227

Defendants.

RECEIVED

JUL 24 2017

CITY OF WEST ALLIS
CITY CLERK

To: Monica Schultz, Office of City Clerk
7523 W. Greenfield Ave, West Allis WI 53214

Re: Claim For Damages and Demand For Relief
Pursuant To Sec. 893.80 Wis. Stats.

—

All Defendants named in this claim knowingly and willfully acted in concert to violate plaintiff's rights, caused his property to be damaged, and suffered injuries to his person, Robert Braun, causing approximately 15 trips to the hospital and doctor's office for medical treatments and x-rays. He is not healing. Plaintiff, Robert Braun, who is 82 years old, is still suffering from the injuries and is in constant pain. Plaintiff at no time gave permission to City of West Allis employees to injure him.

To All Parties Listed:

Please be advised that Robert C. Braun is pursuing a claim for personal injuries suffered as a result of damages which occurred on April 4, 2017, at West Allis Central High School.

On April 4, 2017 at West Allis Central High School, 8516 W. Lincoln Avenue, as the Plaintiff Robert C. Braun ("Robert") and his wife, Violet Braun ("Violet"), went in to vote for the Spring Election, he noticed a sign placed in the lawn approximately 150 feet east of the entrance encouraging voters to vote in favor of the school board referendum, which was later found out to have been placed there by members of the school district who should have had knowledge that this would be in violation of electioneering laws. Robert then spoke to an election worker, Kathleen M. Klein ("Kathleen"), with his concerns and asked if he could put a sign next to that one showing an opposing view. Kathleen then became angry and dismissed the idea. It should be noted that at this time that Robert had no materials with him encouraging voting one way or another.

Robert went home and contacted the Wisconsin Elections Commission which notified him that he had a right to place a sign showing an opposing view. Robert returned to the high school with one sign that read "VOTE NO" and placed it next to the original one that was there, approximately 150 feet from the entrance. As Robert was leaving he noticed someone, whom he did not get a good view of, running back into the building with a sign and noticed his sign was gone.

Robert went home to get another sign and also his neighbor, Jake Brewer ("Jake"), came back with him with a sign. Robert put his sign in the lawn again next to the school's sign. As Robert and Jake were having conversation, Kathleen came out and with hostility

pulled Robert's sign out of the ground. Kathleen was heading back into the building when Robert shouted to her, "Stop, you can't do that, it's stealing!" She then gave Robert's sign back to him. Robert then informed her that he was not going to put it in the lawn anymore, but stand and hold it. Because of severe swelling in Robert's legs, he and Jake then proceeded to walk to a nearby light post that Robert could lean against to stand with their signs. Jake took some pictures, stayed for about ten minutes, then left. Violet came back with a chair for Robert to sit because of health issues that require him to stand with a cane. After about 45 minutes Violet left and Robert placed the sign that she was holding in the ground where he was standing. During this time no one came out to say that Robert was doing anything wrong. Robert continued standing near the light post, by himself, holding the sign to ensure that there would be a sign with an opposing view that people would see.

Kathleen came out again shortly after Violet had left and tried to violently rip the sign out of Robert's hands. As this struggle was going on Robert was losing his balance and as he was falling he started yelling at her informing her that she was breaking the law at which point she let go of the sign and Robert fell backward. As Robert was falling he had sharply turned his head to the side to see where he was falling when his neck snapped and everything went black. When Robert regained his senses he noticed that Kathleen was gone. Once able to balance again, he called the West Allis Police Department.

Officer Kyle Webster arrived at the scene while Robert was lying on the lawn. The Police Department and Officer Webster failed to conduct a thorough investigation into the incident. They failed to measure distance from where Robert was standing in respect to the building itself which proves that at no time was Robert violating any laws. This failure by the Police Department undermined the ability of the Election Commission to substantiate alleged violations.

Violet came to drive Robert to the hospital instead of calling an ambulance because the hospital was only two blocks away. Robert subsequently notified his doctor and had examinations and x-rays done. Robert has been to Froedert Hospital over 15 times for treatment due to this incident. Doctors have given directives for continued physical therapy. It should be noted that during this time Robert has also been under doctor's

orders to keep his leg elevated but was unable to properly follow those orders because of the neck injuries sustained by this incident; a severe infection in his leg has resulted. Robert is currently suffering from shingles which is believed to have been brought on by recent stress.

Some of the bills received thus far are in excess of \$5000.00. The above named parties are responsible for compensatory damages including, but not limited to: pain and suffering, medical bills, and future court costs and fees of \$73,000.00. Robert is not currently represented by an attorney, but is pursuing this claim in hopes of settling without need for litigation. Thank you for your prompt attention on this matter.

Dated this 24 day of July, 2017.

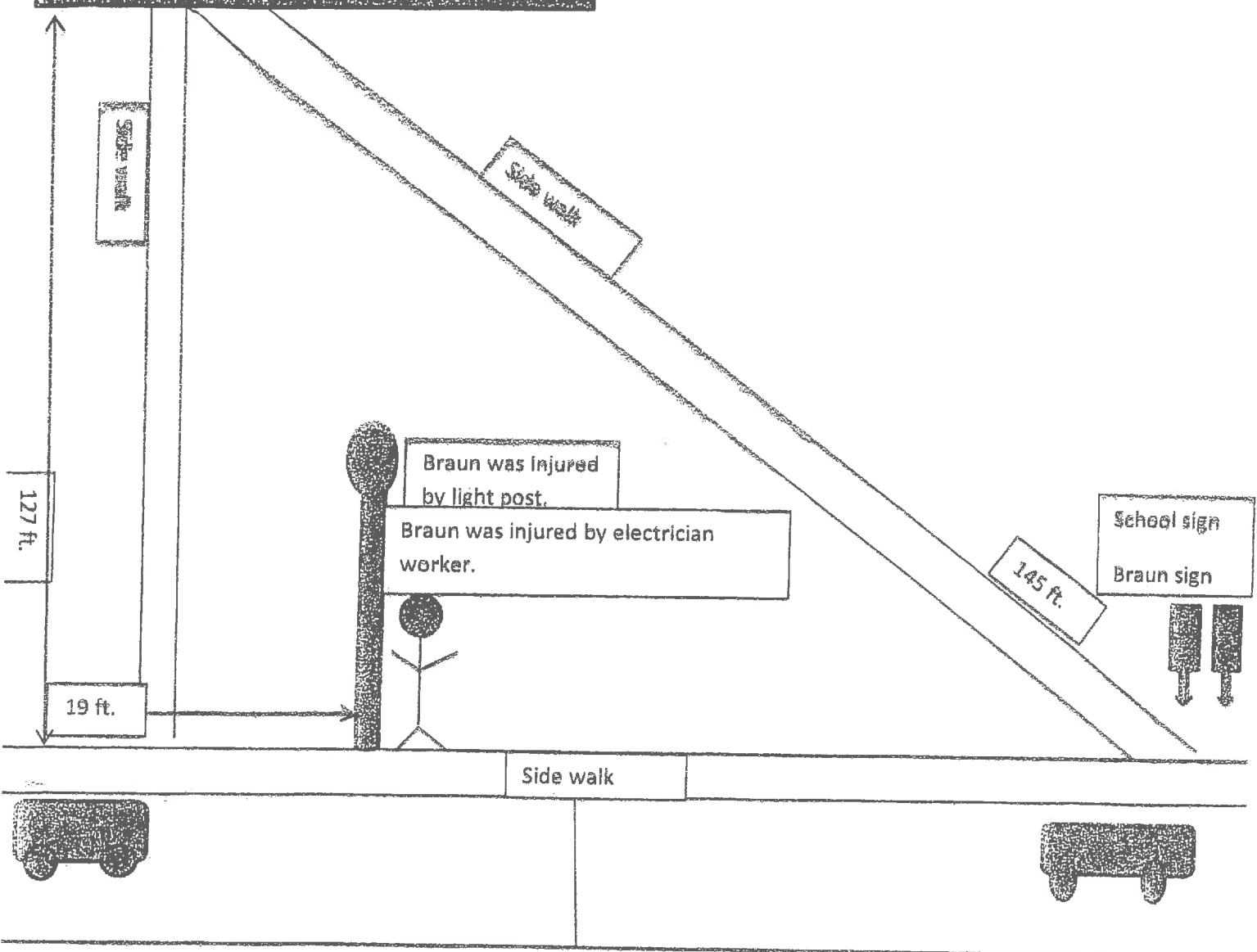
A handwritten signature in cursive script that reads "Robert C. Braun". The signature is written in black ink and is positioned above a horizontal line.

Robert C. Braun
2160 S. 86th Street
West Allis, WI 53227
414-543-3584



West Allis Central High School Voting Building

Measurements by Jake and Duane Brewer on 6/16/17 And witnessed by Robert Braun



State of Wisconsin City of West Allis Milwaukee County

Under oath, I state that;

Duane and Jake Brewer measured the measurements in front of West Allis Central High School. The measuring was done on 6/16/2017 and witnessed by Robert Braun.

I Duane produced this map/diagram on 6/20/2017 and map was witnessed by Robert Braun.

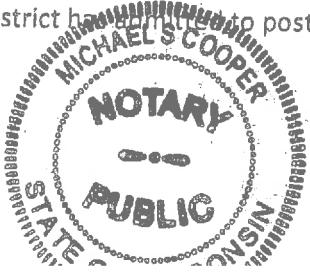
The true and correct measurements in this map/diagram are shown.

Robert Braun has stated to me that the attack by Kathleen took place by light post as shown.

Robert Braun has stated to me that a member of the West Allis school district had permission to posting the schools sign as show,

Subscribed and sworn before me on June 20, 2017

Notary public, state of Wisconsin my commission expires: 6/24/17



Robert Braun 6/20/17
Robert Braun
Duane Brewer 6/20/17
Duane Brewer