



Monica Schultz
City Clerk
City Clerk's Office
414.302.8220
mschultz@westalliswi.gov

Katie and Jared Baroni
15E Main St., #10
Platteville, WI 53818

November 16, 2017

Subject: Decision by City of West Allis Administrative Appeals Review Board (AARB) in regard to the Appeal of the Dangerous Dog Order for Katie and Jared Baroni of 8515 W. Mc Myron St.

Dear Mr. and Ms. Baroni:

This letter is to formally notify you of the determination made by the City of West Allis Administrative Appeals Review Board (AARB) from its meeting on October 30, 2017 regarding your appeal.

At the meeting, the Board decided unanimously to rescind the Dangerous Dog Order for your dog, Rylee, with the direction of muzzling if the dog returns to West Allis.

Thank you for the time you took in making your appeal and attending the meeting. If you have any questions, or need further information or clarification, please feel free to contact me.

Sincerely,

Monica Schultz
City Clerk

Enclosure

cc: Mayor Devine
Health Commissioner
City Attorney
Police Department

Katie and Jared Baroni
8515 W Mc Myron St
West Allis, WI 53214

City Clerk of West Allis
7525 W Greenfield Ave
West Allis, WI 53214

RECEIVED

JUL 25 2017

CITY OF WEST ALLIS
CITY CLERK

Dear City Clerk of West Allis,

We are writing this letter on behalf of our dog, Rylee, that has recently been deemed a "dangerous dog" by the city of West Allis. The purpose of this letter is to contest this determination, as we believe that it is inaccurate and unfair due to the fact that Rylee has never been involved in a scuffle with any other dog or human in the time that she has been a part of our family. In this isolated incident, she snuck out of the door behind Jared (holding two infants, terrible timing) who had no knowledge of her intentions. This was the only reason she unfortunately had access to a dog that is known in our neighborhood to not be very friendly. The male owner of this dog also openly admitted to Jared that his dog has been involved in numerous altercations with other dogs. His excuse was that his dog is usually pretty defenseless due to being smaller in size compared to most other dogs. If you were to ask any of our neighbors about Rylee, they would tell you that she is a very friendly dog. We strongly believe that the other dog acted in an attempt to protect its owner and that Rylee's actions were nothing but a reaction. In no way, shape, or form is there any way Rylee bit Susan intentionally, if at all. Susan did not realize she was bitten until she got back to her house and calmed down. There is no way to prove Rylee bit her, as both dogs were involved in the exchange. Rylee has NEVER shown any sort of aggression toward any dog, and ESPECIALLY never a human.

We can assure you that there is no possible way that we would allow a dangerous dog to live in our home as we have a son who will be turning one year old next month. Our friends/family would also never bring their children or their dogs to our home if she were dangerous. I wish you could have the pleasure of knowing the sweet and cuddly dog that we interact with on a daily basis.

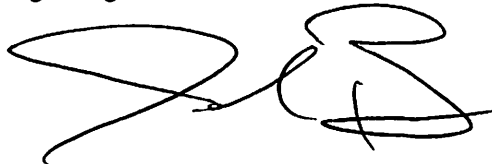
Jared went on vacation back in February with our son and we decided to take Rylee to daycare (also a dog training facility), as she is not used to being alone all day since Jared works third shift. Attached you will find a copy of the assessment completed by one of the employees of this daycare. You will also find a picture of her report card that Katie was given after Rylee's first day of attendance. We hope you find this evidence compelling in contest to your labeling her as "dangerous." You will also find letters from various family members and friends that have interacted with Rylee in the time that she has been a part of our family attached. Finally, we have included a collage of pictures that we feel represent an accurate depiction of Rylee's true demeanor. Our intention is that you find these testimonies and pictures to be in support of our contest.

Our hearts and the hearts of so many people that know Rylee's true nature are broken by the fact that she is being unfairly labeled due to a simple mistake. We are deeply sorry for what occurred and have verbally agreed to reimburse Susan and her husband and any expenses that they have incurred as a result. We sincerely hope that you are able to take our appeal into consideration as we can assure you that "dangerous" is the last word that we or anyone else who knows Rylee would use to describe her. Please feel free to contact us at any time regarding this matter.

Respectfully,



Katie Baroni
414-840-3035
kmachado1027@yahoo.com



Jared Baroni
414-238-1887
baronij5@gmail.com

Trans date: 7/25/17 Time: 9:25:12

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS 60637
TEL 773-936-8000

216 *Journal of Law, Economics, & Organization*, V16 N1

[illegible]

There are two important features of the relationship between the two variables that are of interest in this study. First, the relationship is nonlinear. The relationship between the two variables is not linear, as can be seen from the scatter plot in Figure 1. Second, the relationship is non-monotonic. The relationship between the two variables is not monotonic, as can be seen from the scatter plot in Figure 1.

1. The first group of individuals, who are not yet 18 years of age, are the most vulnerable. They are the most likely to be exploited and abused, and they are the most likely to be in need of protection. The second group of individuals, who are 18 years of age or older, are the most likely to be exploited and abused, and they are the most likely to be in need of protection. The third group of individuals, who are 18 years of age or older, are the most likely to be exploited and abused, and they are the most likely to be in need of protection.

1990). The results of the present study are consistent with the findings of these previous studies. The results of the present study also suggest that the use of a single, standardized, and validated measure of self-esteem may be sufficient to capture the construct of self-esteem in a research setting. The results of the present study also suggest that the use of a single, standardized, and validated measure of self-esteem may be sufficient to capture the construct of self-esteem in a research setting.

Genotype	Genotype
100% <i>gln-1</i> <i>gln-2</i> <i>gln-3</i> <i>gln-4</i> <i>gln-5</i> <i>gln-6</i> <i>gln-7</i> <i>gln-8</i> <i>gln-9</i> <i>gln-10</i> <i>gln-11</i> <i>gln-12</i> <i>gln-13</i> <i>gln-14</i> <i>gln-15</i> <i>gln-16</i> <i>gln-17</i> <i>gln-18</i> <i>gln-19</i> <i>gln-20</i> <i>gln-21</i> <i>gln-22</i> <i>gln-23</i> <i>gln-24</i> <i>gln-25</i> <i>gln-26</i> <i>gln-27</i> <i>gln-28</i> <i>gln-29</i> <i>gln-30</i> <i>gln-31</i> <i>gln-32</i> <i>gln-33</i> <i>gln-34</i> <i>gln-35</i> <i>gln-36</i> <i>gln-37</i> <i>gln-38</i> <i>gln-39</i> <i>gln-40</i> <i>gln-41</i> <i>gln-42</i> <i>gln-43</i> <i>gln-44</i> <i>gln-45</i> <i>gln-46</i> <i>gln-47</i> <i>gln-48</i> <i>gln-49</i> <i>gln-50</i> <i>gln-51</i> <i>gln-52</i> <i>gln-53</i> <i>gln-54</i> <i>gln-55</i> <i>gln-56</i> <i>gln-57</i> <i>gln-58</i> <i>gln-59</i> <i>gln-60</i> <i>gln-61</i> <i>gln-62</i> <i>gln-63</i> <i>gln-64</i> <i>gln-65</i> <i>gln-66</i> <i>gln-67</i> <i>gln-68</i> <i>gln-69</i> <i>gln-70</i> <i>gln-71</i> <i>gln-72</i> <i>gln-73</i> <i>gln-74</i> <i>gln-75</i> <i>gln-76</i> <i>gln-77</i> <i>gln-78</i> <i>gln-79</i> <i>gln-80</i> <i>gln-81</i> <i>gln-82</i> <i>gln-83</i> <i>gln-84</i> <i>gln-85</i> <i>gln-86</i> <i>gln-87</i> <i>gln-88</i> <i>gln-89</i> <i>gln-90</i> <i>gln-91</i> <i>gln-92</i> <i>gln-93</i> <i>gln-94</i> <i>gln-95</i> <i>gln-96</i> <i>gln-97</i> <i>gln-98</i> <i>gln-99</i> <i>gln-100</i>	100% <i>gln-1</i> <i>gln-2</i> <i>gln-3</i> <i>gln-4</i> <i>gln-5</i> <i>gln-6</i> <i>gln-7</i> <i>gln-8</i> <i>gln-9</i> <i>gln-10</i> <i>gln-11</i> <i>gln-12</i> <i>gln-13</i> <i>gln-14</i> <i>gln-15</i> <i>gln-16</i> <i>gln-17</i> <i>gln-18</i> <i>gln-19</i> <i>gln-20</i> <i>gln-21</i> <i>gln-22</i> <i>gln-23</i> <i>gln-24</i> <i>gln-25</i> <i>gln-26</i> <i>gln-27</i> <i>gln-28</i> <i>gln-29</i> <i>gln-30</i> <i>gln-31</i> <i>gln-32</i> <i>gln-33</i> <i>gln-34</i> <i>gln-35</i> <i>gln-36</i> <i>gln-37</i> <i>gln-38</i> <i>gln-39</i> <i>gln-40</i> <i>gln-41</i> <i>gln-42</i> <i>gln-43</i> <i>gln-44</i> <i>gln-45</i> <i>gln-46</i> <i>gln-47</i> <i>gln-48</i> <i>gln-49</i> <i>gln-50</i> <i>gln-51</i> <i>gln-52</i> <i>gln-53</i> <i>gln-54</i> <i>gln-55</i> <i>gln-56</i> <i>gln-57</i> <i>gln-58</i> <i>gln-59</i> <i>gln-60</i> <i>gln-61</i> <i>gln-62</i> <i>gln-63</i> <i>gln-64</i> <i>gln-65</i> <i>gln-66</i> <i>gln-67</i> <i>gln-68</i> <i>gln-69</i> <i>gln-70</i> <i>gln-71</i> <i>gln-72</i> <i>gln-73</i> <i>gln-74</i> <i>gln-75</i> <i>gln-76</i> <i>gln-77</i> <i>gln-78</i> <i>gln-79</i> <i>gln-80</i> <i>gln-81</i> <i>gln-82</i> <i>gln-83</i> <i>gln-84</i> <i>gln-85</i> <i>gln-86</i> <i>gln-87</i> <i>gln-88</i> <i>gln-89</i> <i>gln-90</i> <i>gln-91</i> <i>gln-92</i> <i>gln-93</i> <i>gln-94</i> <i>gln-95</i> <i>gln-96</i> <i>gln-97</i> <i>gln-98</i> <i>gln-99</i> <i>gln-100</i>

Jared Baroni <baronij5@gmail.com>

Fwd: Behavior Assessment for Rylee

Katie Baroni <kmachado1027@yahoo.com>
To: Jared Baroni <baronij5@gmail.com>

Sun, Jul 23, 2017 at 2:25 PM

Sent from my iPhone

Begin forwarded message:

From: [redacted]
Date: July 22, 2017 at 5:43:09 PM CDT
To: [redacted]
Subject: Behavior Assessment for Rylee

Hello,
We spoke on the phone yesterday about the behavior assessment your dog received prior to attending daycare. This assessment is a brief and general assessment of the dogs ability to be handled away from its owner and its comfort with meeting other dogs and in groups of dogs. This dog attended daycare through our Groupon promotion for only three days 2/6/17, 2/7/17, 2/8/17. If you are interested we can provide a reassessment, as is required when dogs return to daycare after six months, as dogs are unpredictable and behavior can vary depending on its experiences and history.
Attached is a pdf of the behavior assessment performed 1/31/17

Take care,
Abbie

img20170722_17374937.pdf
3293K

To the West Allis Clerk:

Our names are Pin and Nathan. We have known the Baroni family for over a year now. They are a great and loving family with a big heart. The family has rescued two dogs. When we first met Rylee, she was always very energetic and playful like any puppy would be. When Pin just moved in with them, she wasn't that close with Rylee yet, but she never attacked or attempted to attack her. Over time she became very cuddly and snuggly with her. As the year went by, Rylee became a very mature and calm dog. She always listened and didn't bark as much anymore as well. When the Baroni family adopted their new puppy, Ramsey; Rylee never once snapped or attacked the puppy. Even when Ramsey tried to attack Rylee in a playful manner, Rylee still did not retaliate. As for the two of us, we strongly believe that the whole situation was an accident. If almost anyone's young dog slipped out of your hands or sight, you would expect it to run to the nearest person or animal. This is a normal way of behavior for almost any dog. This is why we know it was an accident and not intentional.

Sincerely.

A handwritten signature in black ink that reads "Nathan Helwer". The script is cursive and fluid.A handwritten signature in black ink that appears to read "Pin". It is a stylized, cursive signature.

Pin Phansri and Nathan Helwer

July 21, 2017

Attn: West Allis City Clerk
City of West Allis
7525 W. Greenfield Avenue
West Allis, WI 53214

RE: Katie and Jared Baroni
8515 W. McMyron Street
West Allis, WI 53214

Dear City of West Allis Clerk,

My name is Dianne Machado and my daughter and son-in-law, Katie and Jared Baroni, are the pet owners of Rylee, a pit bull.

Rylee is a very well behaved and an obedient dog who loves being around people. She has always been very loving and gentle with me and with other people that I have seen her around, especially with my one year old grandson, T.J., Katie and Jared's son.

Katie and Jared also owned a dog named Chauncey, who sadly passed away in October of 2016. Rylee was not aggressive with Chauncey, but was rather submissive with him. Chauncey and Rylee got along great and played very well together.

Should you have questions, please do not hesitate to contact me at (414)840-3032.

Thank you.

Sincerely,


Dianne Machado

PETU

Date: 2/8/17

Student: Rylie

Best Friend(s) of the day: emma
reese hamish

Favorite Poochfessor: Shayla/Jorden

Lunch:

Snack:

Nap: yes

ne out(s):



Activities:

Rylie had an awesome 1st
day, she played so much
had a blast with her
new friends

General Behavior & Mood:

Playful

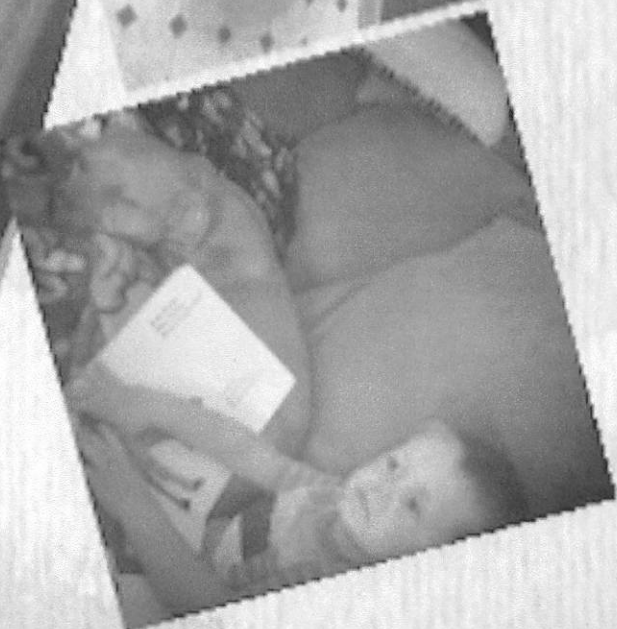
Social

Cuddly

Energetic

Lounged Around

Talkative



Rylee

Parent Name

Bacon

Dog's Name

Avery

Breed

Pitbull

Age

1 1/2

Behavior / Reactivity	Green	Yellow	Red
<u>Introduction into play area</u> Approach play area- wait- observe. Open door to play area. Observe dog's behavior, crouch down, and talk to the dog in a calm voice.	<input checked="" type="checkbox"/> Approaches in a friendly manner. <input type="checkbox"/> Soft/Friendly <input type="checkbox"/> Relaxed, playful.	<input type="checkbox"/> Excitable response to presence. <input type="checkbox"/> Fearful regression with no aggression, cautious/tense/still <input type="checkbox"/> Defensive reactions: lunging and regressing.	<input type="checkbox"/> Lunges to attack: baring teeth, growling <input type="checkbox"/> Hackles up, stiff posture, eyes glaring
<u>Possession</u> Use a toy or ball with a rope attached to the end. Once dog is engaged, attempt to remove toy by use of the rope. Offer the dog a treat in exchange for the toy.	<input checked="" type="checkbox"/> Gives up easily, overall playful attitude <input type="checkbox"/> Slight resistance to toy removal, but gives in with slight correction/ show no interest in toy <input type="checkbox"/> Dog takes toy and hides/plays keep-away.	<input type="checkbox"/> Possessive over toy/ strong resistance/ no aggression <input type="checkbox"/> Threatens to retain—no follow through <input type="checkbox"/> Playful growling/engaging	<input type="checkbox"/> Growls, freeze, snaps when approaching. <input type="checkbox"/> Becomes aggressive with follow through—injurious.
<u>Touch / Handling</u> Gently touch head & body. Touch backside and underneath dog – front and back. Apply slight pressure to shoulders, back and hips. Stroke tail & hold for a brief moment. Rub ears & cover one eye. Approach dog from the rear.	<input type="checkbox"/> Softens with petting, engages tester. Licks, nuzzles, seeks attention, and rolls onto back <input type="checkbox"/> Moves away in neutral manner <input checked="" type="checkbox"/> Accepts but not seek additional	<input type="checkbox"/> Over stimulated, gets mouthy—follows hand <input type="checkbox"/> Skittish, avoidant/ hind quarter/ tail sensitivity <input type="checkbox"/> Actively avoidant/ extremely stiff or overly jumpy when touched	<input type="checkbox"/> Aggresses with follow through—injurious
<u>Food</u> Offer dog a treat allow dog to take it. Offer another treat, as he begins to bite, gentle remove/pull back treat. Drop a treat on ground, when dog sees it cover it with your foot. When dog is eating treat begin	<input type="checkbox"/> Indifferent or friendly <input checked="" type="checkbox"/> Confused (looks up at you) <input type="checkbox"/> Dog is assertive (digs at treat), gets pushy for treat/ follows with focus	<input type="checkbox"/> Growls <input type="checkbox"/> Hoards/stills <input type="checkbox"/> Threatens to retain—no follow through	<input type="checkbox"/> Aggresses with follow through—injurious

some mild general handling.			
<u>Correction</u> Walk dog near other people and distractions. Let the dog sniff or become interested in something for a few moments & then give a slight tug on the leash & a verbal redirection.	<input checked="" type="checkbox"/> Easily redirects top handler/ compliant <input type="checkbox"/> Slow to correct, but follows. Needs second or multiple correction(s). <input type="checkbox"/> Ignore handler, correction, and continues	<input type="checkbox"/> Drops in fear, defensive <input type="checkbox"/> Becomes unresponsive <input type="checkbox"/> Fights against correction and becomes stubborn to comply	<input type="checkbox"/> Redirects aggressively toward handler and attempts to or bite.
<u>Dominance</u> Push down on a dog's shoulders using hands & or forearm. Maintain pressure for a moment.	<input type="checkbox"/> Melts under slight pressure/ submits <input checked="" type="checkbox"/> Remains neutral <input type="checkbox"/> Unresponsive	<input type="checkbox"/> Stiffens up in reaction <input type="checkbox"/> Turns in strong way toward handler <input type="checkbox"/> Feels uncomfortable with situation	<input type="checkbox"/> Growls/ snaps at handler in a dominant manner. Aggresses with follow through—injurious.
<u>Dog to Dog Intro</u> Start test through fence or at a distance. Walk dog being tested by a neutral dog a few times (giving praise/ reward good behavior) then allow him to go & greet the other dog. Keep leash loose. Allow sniffing for 3-4 seconds, then separate & reintroduce.	<input checked="" type="checkbox"/> Interested/ social toward other dog/ soft body <input type="checkbox"/> Approaches neutral or playfully (play bow) <input type="checkbox"/> Uninterested in an aloof way, remains indifferent or doesn't engage	<input type="checkbox"/> Rude interaction, posturing, vocal <input type="checkbox"/> Does not read cut off signals/ growling, slight lunging, and hackles up <input type="checkbox"/> Aggresses with any interaction but controllable with corrections	<input type="checkbox"/> Offensive or injurious aggression to handler or other dog
<u>Dog to Dog Food Issues</u> Introduce another dog into the immediate (but not reachable) vicinity of test dog: Offer other dog a treat while ignoring test dog. Bring dogs closer together & drop treats for one dog & some for the other dog.	<input checked="" type="checkbox"/> Ignores treats while other dogs eat <input type="checkbox"/> Does not interfere when other does is eating <input type="checkbox"/> Take treats at same time from ground, not forceful	<input type="checkbox"/> Threatens to retain and pushes other for treats <input type="checkbox"/> Aggresses to retain/obtain, growls, postures <input type="checkbox"/> Leaves treat to aggress, or guards in a dominant aggressive manner	<input type="checkbox"/> Aggresses toward handler. Pursues aggression — injurious

Overall behavior

General overall observations: This is a general picture of your experience with the dog during your entire interaction with the dog.

- ☐ Relaxed, friendly, easy to handle, playful.
- ☒ No signs of stress in play area or kennels.
- ☒ Not seeking attention/ neutral / cautious, slow to engage, calm.
- ☐ Signs of stress in play area or kennels/ spinning/ pacing.
- ☐ Jumps on handler/ mouthy.
- ☐ Checked out/ shaking/ hiding/ avoids interaction/ fearful.
- ☐ Aggressively interacts, aggresses toward handler, pursues handler aggressively.

Review any concerns with parents:

Cub in group ~~assessment~~ Show intro
~~assessment~~ went well no signs of
aggression very playful puppy behavior

Parent signature: _____

Date: 1/31/17

Trainer signature: _____

Date: 1/31/17

SUBPOENA

CITY OF WEST ALLIS : ADMINISTRATIVE APPEALS REVIEW BOARD : MILWAUKEE COUNTY

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

THE STATE OF WISCONSIN TO:

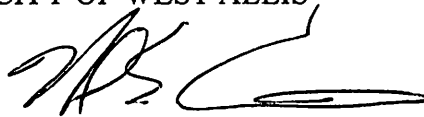
SUSAN KUSHNER
1000 South 85th Street
West Allis, Wisconsin 53214

RECEIVED
OCT 04 2017
WEST ALLIS
CITY ATTORNEY

PURSUANT TO SECTION 805.07 OF THE WISCONSIN STATUTES, you are hereby
commanded to appear in person before the West Allis Administrative Appeals Review Board,
7525 West Greenfield Avenue, Room 128, West Allis, Wisconsin, on the **30th** day of **October**
2017, at **4:00 p.m.**, to give evidence in the matter of the appeal of the Dangerous Dog Order of
Rylee, owner Jared Baroni. Failure to appear may result in punishment for contempt which may
include monetary penalties, imprisonment and other sanctions.

Issued this 26th day of September, 2017.

CITY OF WEST ALLIS



Nicholas S. Cerwin, Assistant City Attorney

P.O. Address:
7525 West Greenfield Avenue
West Allis, Wisconsin 53214
414/302-8450

Service admitted this 2 day of
October, 2017.
X Susan Kushner
Signature of Witness



City Attorney's Office

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jenna R. Merten
Nicholas S. Cerwin
Assistant City Attorneys

September 26, 2017

Susan Kushner
1000 South 85th Street
West Allis, Wisconsin 53214

Re: Matter of the Appeal of the Dangerous Dog Order of Rylee, owner,
Jared Baroni

Dear Ms. Kushner:

Enclosed please find an original and one copy of a subpoena for you to testify as a witness in regard to the above referenced case. Please sign and date the original and return it to this office in the enclosed, self-addressed, stamped envelope. The copy may be retained for your records.

If you have any questions, please feel free to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Nicholas S. Cerwin
Assistant City Attorney

Enclosures

SUBPOENA

CITY OF WEST ALLIS : ADMINISTRATIVE APPEALS REVIEW BOARD : MILWAUKEE COUNTY

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

THE STATE OF WISCONSIN TO:

SUSAN KUSHNER
1000 South 85th Street
West Allis, Wisconsin 53214

PURSUANT TO SECTION 805.07 OF THE WISCONSIN STATUTES, you are hereby commanded to appear in person before the West Allis Administrative Appeals Review Board, 7525 West Greenfield Avenue, Room 128, West Allis, Wisconsin, on the **30th** day of **October 2017**, at **4:00 p.m.**, to give evidence in the matter of the appeal of the Dangerous Dog Order of Rylee, owner Jared Baroni. Failure to appear may result in punishment for contempt which may include monetary penalties, imprisonment and other sanctions.

Issued this 26th day of September, 2017.

CITY OF WEST ALLIS



Nicholas S. Cerwin, Assistant City Attorney

P.O. Address:

7525 West Greenfield Avenue
West Allis, Wisconsin 53214
414/302-8450

Service admitted this _____ day of

_____, 2017.

X

Signature of Witness

NELSON, CONNELL & SLEIN, S.C.
Attorneys at Law

Christine K. Nelson
Of Counsel
Robert W. Connell
Mark S. Nelson
John J. Slein*

N14 W23755 Stone Ridge Drive
Suite 150
P.O. Box 1109
Waukesha, WI 53187-1109

Telephone (262) 347-0303
Facsimile (262) 347-0606

Internet: nccts@ncctslaw.com

*Certified by National Board
of Trial Advocacy

October 26, 2017

VIA E-MAIL
Attorney Nicholas S. Cerwin
Assistant City Attorney
West Allis City Hall
7525 W. Greenfield Avenue
West Allis, WI 53214
E-mail: ncerwin@westalliswi.gov

Re: October 30, 2017 Administrative Appeals Review Board Meeting
Dangerous Dog Order - Katie and Jared Baroni
Your Matter No.: 17-00140
Our Client: Ms. Susan Kushner
Our File No.: 1038.17059

Dear Mr. Cerwin:

Our law firm has been retained by Ms. Susan Kushner regarding a dog bite incident that occurred on July 17, 2017. On that date, Ms. Kushner and her dog were attacked by a pit bull terrier owned by Katie and Jared Baroni. It is my understanding that on October 30, 2017, the West Allis Administrative Appeal Review Board will be considering a "Dangerous Dog Order" regarding the pit bull terrier owned by Mr. and Mrs. Baroni.

Ms. Kushner takes no position regarding the administrative proceedings being conducted by the City. However, Ms. Kushner objects and disagrees to the statements made by Mr. and Ms. Baroni in their submission to the City (the letter is undated but was received by the City on July 25, 2017).

In their letter the Baronis suggest that the Kushner dog is known in the neighborhood "to not be very friendly." This is nonsense. The dog bite incident in question had nothing to do with the Kushner dog other than the Kushner dog also suffered from the vicious attack by the Baroni pit bull terrier. Further, the Baronis suggested that "The male owner of this dog (the Kushner dog) also openly admitted to Jared (Mr. Baroni) that his dog has been involved in numerous altercations with other dogs." This statement is simply false. *First*, the male owner (Mr. Kushner) made no such comments. *Second*, the Kushner dog has had no altercations with other dogs. It was also suggested that "Rylee has NEVER shown any sort of aggression toward any dog, and ESPECIALLY never a human." This is also false. There was at least one previous occasion that the Baroni dog (Rylee) charged after Ms. Kushner and her dog, causing Ms. Kushner to quickly pick up her dog and trip off the curb, without any injury. Fortunately at that

Attorney Nicolas Cerwin
October 26, 2017
Page 2


time, Ms. Baroni was able to stop her dog from reaching them. Mr. Baroni acknowledged that prior occasion when talking to Ms. Kushner after this altercation.

Any other statements made by the Baronis regarding the Kushners or their dog are similarly without merit.

Thank you for your consideration of the information set forth above. If you have any questions, please do not hesitate to contact the undersigned. It is my understanding Mrs. Kushner will be present at the Board Meeting pursuant to a subpoena issued by your office.

Thank you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Mark S. Nelson", followed by a long horizontal flourish line.

MARK S. NELSON

Email: mnelson@ncctslaw.com

MSN/tlk

cc: Susan Kushner (via e-mail)

17-027255

ORDER DANGEROUS DOG

RECEIVED
JUL 24 2017
WEST ALLIS
CITY ATTORNEY

Date: 7/17/17

Owner's Name(s): Jared M Baroni

Address: 8515 W. McMyron St.

Address: _____

Name of Dog: Rylee

Description of Dog: Pit Bull Terrier

Pursuant to West Allis Revised Municipal Code Section 7.126, your dog, described above, is hereby declared to be a **dangerous dog**.

Within **30 days** of the date of this order, you must comply with the requirement of 7.126(6) (see back sheet). A West Allis police officer will conduct a follow-up investigation to ensure compliance with the requirements.

If you wish to contest this order or any of the requirements of 7.126(6), you must, within 30 days after receipt of the order, deliver to the City Clerk a written objection to the order stating specific reasons for contesting the order. The City Clerk is located at City Hall at 7525 West Greenfield Avenue, West Allis, Wisconsin.

If you have questions about this order, please contact the City Attorney's Office at (414) 302-8450.

Signature: [Signature] HARTMAN
Name of Officer / Department WEST ALLIS P.D.

Service: (check one)

Date/Time: 1710 hrs 7/17/17

Name of person served: Jared M Baroni

Location: Police Station

17-027255
CITY AT THE CENTER
WEST ALLIS



Public Health
Prevent. Promote. Protect
West Allis Health Department

West Allis Health Department Rabies Quarantine Order

Animal Owner's Name: Jared M Baroni

Animal Owner's Address: 8515 W. McMyrn St.

Animal Owner's Telephone Number: 414-238-1887

Name of Animal: Rylee Type of Pet: ☒ Dog ☐ Cat ☐ Other (List) _____

Date Bite Occurred: 07/17/17 Was a person bitten? Y N Did the Bite Break the Skin? Y N

Date of Animal's Rabies Vaccination: 1/27/17 Dog/Cat License Tag Number: _____

Victim's Name: Susan L Kushner Victim's Address: 1000 S. 85th St.

Victim's Phone/Cell: 414-690-9172 Treated by: ☐ Medical Provider ☐ Self ☐ Parent ☐ NA

Per the Revised Municipal Code of the City of West Allis 7.12(5) the animal identified above and owned/harbored by you at the indicated address is hereby ordered confined, under the conditions defined below, for purposes of quarantine for possible rabies exposure.

- ☐ This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus and is quarantined for a minimum of **10 days** from the date of the incident. Animal owner is responsible for all costs associated with quarantine/impoundment of the animal.
- ☒ Proof of valid rabies vaccination provided. In home quarantine ordered. See Quarantine conditions below.
- ☒ Proof of valid rabies vaccination is **NOT** provided. Animal is ordered to be impounded at:
 - ☐ MADACC
 - ☐ Local Veterinarian Clinic: West Allis Veterinary Clinic
- ☐ This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus **AND** is exhibiting symptoms consistent with rabies. This animal is ordered to be euthanized for rabies testing. Animal owner is responsible for all costs associated with euthanization and testing.

Quarantine conditions:

- ☒ The animal must be seen by a veterinarian within 24 hours for a health clearance. A copy of the veterinarian's report must be submitted to the West Allis Health Department.
- ☒ The animal must be confined at all times in an enclosed space that prevents contact with people, other pets, and wild animals. Animal may only be outside only for purposes of toileting and must be kept on a leash.
- ☒ At no time may the animal be removed from the premises without prior written permission of the West Allis Health Department. In an emergency, the animal may be taken to a vet. Immediately notify the Health Department.
- ☒ If at any time during the quarantine period the animal becomes ill, shows signs of abnormal behavior, or dies, the West Allis Health Department must be notified immediately. The Health Commissioner may authorize, at any time that the animal be euthanized for purposes of laboratory testing for rabies.
- ☒ Animals without a valid rabies vaccination must be vaccinated after the quarantine period, prior to being released to the owner. Also, if the animal does not have a valid Milwaukee County Animal License the owner must obtain the license and submit proof of license to the West Allis Health Department.
- ☒ The animal will be released from quarantine only upon completion of the prescribed requirements and by written authorization of the West Allis Health Department.

I understand and agree to abide by the conditions under which the above named animal, for which I am the responsible owner or custodian, is to be quarantined. I understand that violation of the conditions of this quarantine order, whether by volition or negligence, is punishable under the Revised Municipal Code for the City West Allis.

JARED BARONI
Animal owner name (print)

[Signature]
Animal owner signature

7/17/17
Date

SL Polak
Serving official name (print)

Paul Hartmann
Serving official signature

7/17/17
Date


White - Police Department Copy

Pink - Health Department Copy

Yellow - Owner's Copy

Submit completed report to the Health Department within 24 hours.

7120 W National Ave, West Allis, WI 53214
Fax - 414-302-8628

		West Allis Police Department		Incident Report			
		Incident: Dog/Cat/Animal Bite					
		Incident Report Number: 17-027255		Between: Date - Time		And/At: Date-Time 7/17/17 11:00	
		Incident Location: 8515 W Mcmyron St, West Allis, WI, 53214					
		CFS Code-1: 7399G		CFS Code-2: ZNP1832		CFS Code-3:	
CFS Code-5:		CFS Code-6:		CFS Code-7:		CFS Code-8:	
V		Name (Last, First, Middle) Kushner, Susan Lynn		DOB: 04/16/1960		Race/Sex W/F	
Address: (Address, City, State, Zip) 1000 S 85 St, West Allis, WI, 53214						Home Phone Number	
Employer						Work Phone Number	
Employer Address						Cell Phone Number (414) 690-9172	
CN		Name (Last, First, Middle) Baroni, Jared M		DOB: 05/17/1990		Race/Sex W/M	
Address: (Address, City, State, Zip) 8515 W Mcmyron St, West Allis, WI, 53214						Home Phone Number	
Employer						Work Phone Number	
Employer Address						Cell Phone Number (414) 238-1887	
<p>SUMMARY</p> <p>Hartmann Reports.....8515 W McMyron St./Animal Attack</p> <p>On 07/17/17 at 1600hrs, Susan L Kushner came into the station to file a dog biting report that occurred earlier today at 1100hrs in front of 8515 W McMyron St. in the City of West Allis. Susan advised a pit-bull at this address was able to get away from it's owner and attack her and her schnauzer dog. Susan suffered a puncture to her right calf, and her dog received two puncture wounds above it's left eye, two puncture wounds to it's right leg, and a sprained right rear knee. Susan and her dog received medical treatment. Subsequent contact was made with the owner of the pit-bull Jared Baroni who was able to provide rabies vaccination information. A Rabies Quarantine Order and Order Dangerous Dog Forms were</p>							
<p style="text-align: right;">RECEIVED JUL 24 2017 WEST ALLIS CITY ATTORNEY</p>							
Vehicle Information: (Year, Make, Model, Style, Color)							
License Number:		State:		Expiration Year:		VIN:	
						Insurance Company:	
Other Vehicle Information:						NCIC#	
Reporting Officer(s): Hartmann, Paul				Payroll Number: 9593		Report Date: 07/17/2017	
Time Received: 16:27:50		Time Cleared: 16:28:03		Unit(s) Assigned: 299		Pages: 1 Of 5	
Reviewed by: Clerical and Coding Manz, Tracy				Payroll Number 9656		Copy To	

Date:

07/17/2017

CFS Code-1: 7399G

Incident Report Number:

17-027255

West Allis Police Department**Continuation**

Incident Report Number

17-027255

Incident Location:

8515 W Mcmyron St, West Allis, WI, 53214

Incident Date:

07/17/2017

completed and incident will be forwarded to Sgt. Borree and the West Allis Health Department.

Reporting Officer(s):

Hartmann, Paul

ID Number

9593

ID Number

Pages:

2 Of 5

West Allis Police Department**Continuation**

Incident Report Number

17-027255

Incident Location:

8515 W Mcmyron St, West Allis, WI, 53214

Incident Date:

07/17/2017

NARRATIVE

Hartmann Reports...

INITIAL CALL

On 07/17/17 at 1600hrs, Susan L Kushner came into the station to file a dog biting report that occurred earlier today at 1100hrs in front of 8515 W McMyron St. in the City of West Allis.

CONTACT WITH SUSAN L KUSHNER (VICTIM)

I spoke with Susan L Kushner regarding this incident. Susan was identified via WI DL and resides at 1000 S 85 St. in the City of West Allis.

Susan advised earlier today at approximately 1100hrs, she was walking her dog (Schnauzer) by the address of 8515 W McMyron St. when her and her dog were attacked by a pit bull from that residence.

Susan noted that the pit-bull was able to push by the owner of the residence at the front door who appeared to be holding two small children. The pit bull was not on a leash at the time of this incident.

Susan stated the pit-bull bit her dog and violently shook it around while she tried to separate the animals. Susan stated she was so frightened at the time that she doesn't remember separating the animals but immediately left the area to attend to her injured dog.

When Susan got to her residence of 1000 S 85 St. she realized she had blood on her right calf. Upon further inspection, Susan realized she had a puncture wound to her right calf that she knows was caused by the pit bull.

Even though Susan subsequently realized she was bitten, she was so concerned for the well being of her dog that she immediately took the animal for medical attention. Susan took the animal to the St. Paul Vetrinary Clinic on 431 N 27 St. in the City of Milwaukee. *Susan's dog had two puncture wounds above it's left eye, two puncture wounds to it's left leg, and a sprained right hind leg.*

Susan also sought medical attention for the *puncture wound to her calf* at the Aurora Urgent Care located at 92/Loomis.

Susan advised she did not need any stiches for the wound. The wound was bandaged while I spoke with her, however, she was able to show me a photograph of the wound prior to the bandaging. Susan was advised to forward any photographs of her injuries and/or her dogs injuries so they can subsequently be attached to this report. Susan subsequently forwarded one photo of her injury and five photographs

Reporting Officer(s):

Hartmann, Paul

ID Number

9593

ID Number

Pages:

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West Allis Police Department**Continuation**

Incident Report Number

17-027255

Incident Location:

8515 W McMyron St, West Allis, WI, 53214

Incident Date:

07/17/2017

of her dog's injuries (see attachments).

LACK OF CONSENT

Susan stated she did not give any one permission to have their dog attack/bite her and/or her dog. I gave Susan a business card and advised her to contact me regarding any additional information regarding this incident.

OFFICER NOTES

Susan did not bring her animal into the station with her for filing this report. Officer notes that Susan's husband was with her and advised that he made contact with the owner of the pit-bull at 8515 W McMyron St. Susan's husband noted that the owner was very cooperative, advised the animal was up to date on all its vaccines and was recently checked up on at the West Allis Veterinary Clinic.

A Phoenix check of the address of 8515 W McMyron St. showed no other animal complaints at this address.

CONTACT WITH JARED BARONI (DOG OWNER)

Checking the address of 8515 W McMyron St. I located a *Jared M Baroni* at the address in Phoenix. I subsequently made phone contact with Jared who advised he does reside at that address and is the owner of the female pit-bull "Rylee."

Jared further stated he was watching his child and baby sitting another child at his residence and while attempting to walk out of the residence, the pit-bull pushed pass him and "went after the other dog."

Jared advised he had to attend to putting down the two children he was holding before he could address the pit-bull. Jared approximated the two dogs being "tangled for 5-8 seconds." Jared did not observe the dog bite Susan.

Jared advised the dog had it's last veterinary check up approximately one month ago and advised the dog is up to date on all it's vaccinations. Jared advised the dog was last checked at the West Allis Veterinary Clinic.

Jared agreed to come into the station to sign Rabies Quarantine Form.

CONTACT WITH WEST ALLIS VETRINARY CLINIC

On 07/17/17 at 1645hrs I made contact with the West Allis Vetrinary Clinic located at 11504 W Greenfield Ave. I was advised that the pit-bull "Rylee" does go to the clinic. I was advised over the phone that the dog was up to date on it's rabies shots with its last shot being on 01/27/17 and not being due until the year of 2020.

The clinic advised they would fax over a copy of the rabies information to

Reporting Officer(s):

Hartmann, Paul

ID Number

9593

ID Number

Pages:

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West Allis Police Department**Continuation**

Incident Report Number

17-027255

Incident Location:

8515 W Mcmyron St, West Allis, WI, 53214

Incident Date:

07/17/2017

414-302-8196 Attn: Sgt. Hartmann. A faxed copy of the West Allis Veterinay Clinic Animal Record was received that displayed the animal was lasted checked on 06/01/17 and had a rabies shot of 01/27/17. The form will be forwarded with this report.

WEST ALLIS HEALTH DEPARTMENT RABIES QUARANTINE ORDER/ORDER DANGEROUS DOG

Jared Baroni subsequently responded to the West Allis Police Department regarding this incident to sign the Rabies Quarantine Form and to receive an Order Dangerous Dog Form. The forms were signed at the police department at 1710hrs and Baroni was provided the yellow copy of each form. I gave Jared a business card for this incident and advised him to contact me regarding any questions regarding this incident.

The forms will be forwarded to Sgt. Borree and subsequently the West Allis Health Department.

CASE DISPOSITION

On 07/17/17 at 1600hrs, Susan L Kushner came into the station to file a dog biting report that occurred earlier today at 1100hrs in front of 8515 W McMyron St. in the City of West Allis. Susan advised a pit-bull at this address was able to get away from it's owner and attack her and her schnauzer dog. Susan suffered a puncture to her right calf, and her dog received two puncture wounds above it's left eye, two puncture wounds to it's right leg, and a sprained right rear knee. Susan and her dog received medical treatment. Subsequent contact was made with the owner of the pit-bull Jared Baroni who was able to provide rabies vaccination information. A Rabies Quarantine Order and Dangerous Dog Order Forms were completed and the incident will be forwarded to Sgt. Borree and the West Allis Health Department.

Reporting Officer(s):

Hartmann, Paul

ID Number

9593

ID Number

Pages:

5 Of 5

West Allis Veterinary Clinic
11504 W. Greenfield Ave.
West Allis, WI 53214
Phone 414-453-4344 Fax 414-453-4712

To: _____

From: _____

Fax Number: _____

Number of Pages: _____

Message:

Attn: Sarg Hadmann

If any problems with this transmission, please call
414-453-4344

Owner's Name Baroni, Katie Chart # 12.911
Address 8515 W. McMyron St. WA 53214
Home # 414.840.3035 Cell # _____ Work # _____
D.L. # _____ E-mail _____
Animal Name Rylee Species Canine Breed Pit Bull
Sex FS Age 2y Birthday 2015 Color/Markings fawn
Allergies _____ Microchip # _____ X-ray # _____

Rabies	* 1-27-17								
DHLPP / S [redacted]	* 1-27-17								
Corona									
Lyme / [redacted]	+ 7-21-16 7/6/17								
Bordetella	* 1-27-17								
HW / [redacted]	6+17								
Fecal									
Dental									

DATE	WEIGHT	TREATMENTS AND PROCEDURES
6-1-17	42.3	Alut [X], vax current per O. Call Family Pet Clinic On TART of the wild. Physical exam. A.M. On Flea (TART) per. per O.
7/6/17	44.9	Lyme X doing well FLEWL fax record to WARD 414-302-8196

--	--	--	--	--

17-21255

FAMILY PET CLINIC, S.C.

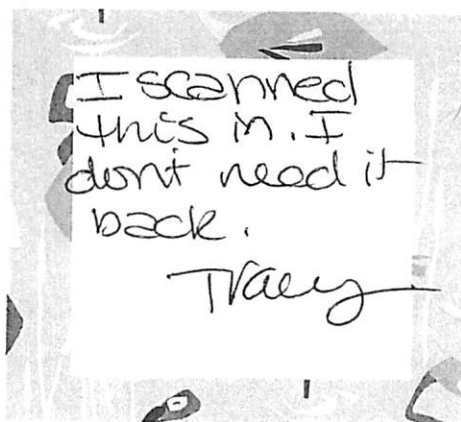
N73 W13583 Appleton Avenue
Menomonee Falls, WI 53051
262 253-2255

CURRENT VACCINATION CERTIFICATE

Date: 07/17/2017

Katie & Jared Baroni 8515 W Mc Myron St West Allis WI 53214	RYLEE Canine Pitbull Tag: 26045	Age: 2 Sex: FS Weight: 46.20	
Acc. No: 8028 Phone: (414)840-3035	Doctor: Scott C. Fellenz, DVM		

Vaccinated for:	Rabies Canine 3 Year Booster on 01/27/2017 Tag Id#: 26045 Due for: Rabies Canine 3 Year Booster on 01/27/2020 Doctor: Scott C. Fellenz, DVM License: 2963	Status: Current
Vaccinated for:	DHLPP/4L Booster on 01/27/2017 Due for: DHLPP/4L Booster on 01/27/2018 Doctor: Scott C. Fellenz, DVM License: 2963	Status: Current
Vaccinated for:	Bordetella Booster (inject) on 01/27/2017 Due for: Bordetella Booster (inject) on 01/27/2018 Doctor: Scott C. Fellenz, DVM License: 2963	Status: Current
Vaccinated for:	CR Lyme Second Vac on 07/21/2016 Due for: CR Lyme Booster on 07/21/2017 Doctor: Veterinary Assistant License:	Status: Current



NELSON, CONNELL & SLEIN, S.C.
Attorneys at Law

Christine K. Nelson
Of Counsel
Robert W. Connell
Mark S. Nelson
John J. Slein*

N14 W23755 Stone Ridge Drive
Suite 150
P.O. Box 1109
Waukesha, WI 53187-1109

Telephone (262) 347-0303
Facsimile (262) 347-0606

Internet: nccts@ncctslaw.com

*Certified by National Board
of Trial Advocacy

October 26, 2017

VIA E-MAIL

Attorney Nicholas S. Cerwin
Assistant City Attorney
West Allis City Hall
7525 W. Greenfield Avenue
West Allis, WI 53214
E-mail: ncerwin@westalliswi.gov

Re: October 30, 2017 Administrative Appeals Review Board Meeting
Dangerous Dog Order - Katie and Jared Baroni
Your Matter No.: 17-00140
Our Client: Ms. Susan Kushner
Our File No.: 1038.17059

Dear Mr. Cerwin:

Our law firm has been retained by Ms. Susan Kushner regarding a dog bite incident that occurred on July 17, 2017. On that date, Ms. Kushner and her dog were attacked by a pit bull terrier owned by Katie and Jared Baroni. It is my understanding that on October 30, 2017, the West Allis Administrative Appeal Review Board will be considering a "Dangerous Dog Order" regarding the pit bull terrier owned by Mr. and Mrs. Baroni.

Ms. Kushner takes no position regarding the administrative proceedings being conducted by the City. However, Ms. Kushner objects and disagrees to the statements made by Mr. and Ms. Baroni in their submission to the City (the letter is undated but was received by the City on July 25, 2017).

In their letter the Baronis suggest that the Kushner dog is known in the neighborhood "to not be very friendly." This is nonsense. The dog bite incident in question had nothing to do with the Kushner dog other than the Kushner dog also suffered from the vicious attack by the Baroni pit bull terrier. Further, the Baronis suggested that "The male owner of this dog (the Kushner dog) also openly admitted to Jared (Mr. Baroni) that his dog has been involved in numerous altercations with other dogs." This statement is simply false. *First*, the male owner (Mr. Kushner) made no such comments. *Second*, the Kushner dog has had no altercations with other dogs. It was also suggested that "Rylee has NEVER shown any sort of aggression toward any dog, and ESPECIALLY never a human." This is also false. There was at least one previous occasion that the Baroni dog (Rylee) charged after Ms. Kushner and her dog, causing Ms. Kushner to quickly pick up her dog and trip off the curb, without any injury. Fortunately at that

Attorney Nicolas Cerwin
October 26, 2017
Page 2

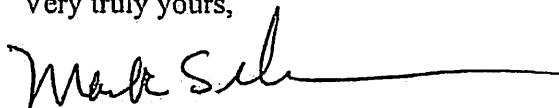
time, Ms. Baroni was able to stop her dog from reaching them. Mr. Baroni acknowledged that prior occasion when talking to Ms. Kushner after this altercation.

Any other statements made by the Baronis regarding the Kushners or their dog are similarly without merit.

Thank you for your consideration of the information set forth above. If you have any questions, please do not hesitate to contact the undersigned. It is my understanding Mrs. Kushner will be present at the Board Meeting pursuant to a subpoena issued by your office.

Thank you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Mark S. Nelson", followed by a long horizontal line extending to the right.

MARK S. NELSON

Email: mnelson@ncctslaw.com

MSN/tlk

cc: Susan Kushner (via e-mail)