

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

15CV004648

MICHAEL S. ALBRECHT and
MICHAEL L. ALBRECHT
2153 South 88th Street
West Allis, WI 53227

Plaintiff

UNITEDHEALTHCARE SERVICES, INC.,
a foreign health insurance corporation,
c/o C.T. Corporation *System*, Registered Agent
8020 Excelsior Drive, Suite 200
Madison, WI 53717

Involuntary Plaintiff,

vs.

CITY OF WEST ALLIS, a municipal corporation,
c/o City Clerk of the City of West Allis
City Hall, Room 108-110
7525 West Greenfield Avenue
West Allis, WI 53214

RYAN McNALLY, POLICE OFFICER
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

TIMOTHY GOLD, POLICE OFFICER,
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

STEVEN MARTIN, POLICE OFFICER
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

CHARLES PADGETT, POLICE CHIEF
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

Defendants.

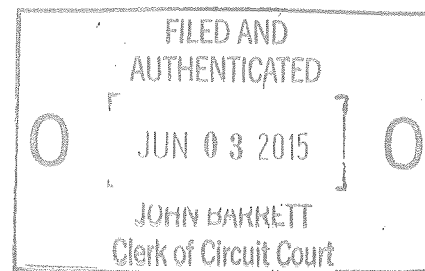
Case No.

Code: 30107

Classification: Personal Injury-
Other

HON. DAVID L. BOROWSKI, BR. 12
CIVIL K

SUMMONS



RECEIVED
JUN 12 2015
CITY OF WEST ALLIS
CITY CLERK

To each person named above as a Defendant:


YOU ARE HEREBY NOTIFIED that the Plaintiffs named above have filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within forty-five (45) days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose mailing address is Clerk of Circuit Court for Milwaukee County, Milwaukee County Courthouse, 901 North 9th Street, Milwaukee, Wisconsin 53233, and to the Plaintiffs' attorney, Robert A. Levine, 111 East Wisconsin Avenue, Suite 1710, Milwaukee, Wisconsin 53202. You may have an attorney help or represent you.

If you do not provide a proper answer within forty-five (45) days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.

Dated at Milwaukee, Wisconsin this 3rd day of June, 2015.

LAW OFFICES OF ROBERT A. LEVINE

By: 
Robert A. Levine, State Bar No. 01011965
Jonathan J. Cattey, State Bar No. 01079322

111 East Wisconsin Avenue, Suite 1710
Milwaukee, WI 53202
(414) 271-9585; Fax: (414) 271-8506
rlevine@rlevinelaw.com; jcattey@rlevinelaw.com

MICHAEL S. ALBRECHT and
MICHAEL L. ALBRECHT
2153 South 88th Street
West Allis, WI 53227

15CV004648

Plaintiff

UNITEDHEALTHCARE SERVICES, INC.,
a foreign health insurance corporation,
c/o C.T. Corporation ~~System~~, Registered Agent
8020 Excelsior Drive, Suite 200
Madison, WI 53717

Case No.

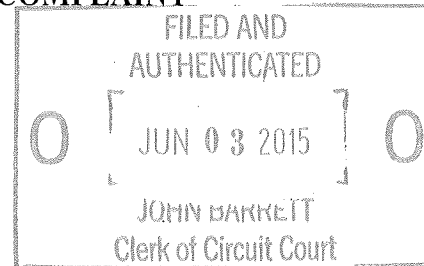
Involuntary Plaintiff,

Code: 30107

Classification: Personal Injury-
Other

vs.

CITY OF WEST ALLIS, a municipal corporation,
c/o City Clerk of the City of West Allis
City Hall, Room 108-110
7525 West Greenfield Avenue
West Allis, WI 53214

COMPLAINT

RYAN McNALLY, POLICE OFFICER
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

TIMOTHY GOLD, POLICE OFFICER,
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

STEVEN MARTIN, POLICE OFFICER
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

CHARLES PADGETT, POLICE CHIEF
c/o City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

Defendants.

RECEIVED

JUN 12 2015

CITY OF WEST ALLIS
CITY CLERK

NOW COME the above-named plaintiffs, Michael S. Albrecht and Michael L. Albrecht, by their attorneys, the Law Offices of Robert A. Levine, represented by Robert A. Levine, and as and for a claim on behalf of the plaintiffs Michael S. Albrecht and Michael L. Albrecht and against the defendants, City of West Allis, Ryan McNally, Timothy Gold, Steven Martin and Charles Padgett, allege and show to the court as follows:

1. Plaintiffs have separate claims which arise out of the same incident and are joined for the purpose of suit and trial, but each prays for a separate judgment.

2. This is a civil action seeking damages against the defendants the City of West Allis, Ryan McNally, Timothy Gold and Seven Martin, for committing acts under color of law which deprived the plaintiffs Michael S. Albrecht and Michael L. Albrecht of rights secured by the Fourth and Fifteenth Amendments of the Constitution of the United States of America and the Constitution of the State of Wisconsin, including, but not limited to, depriving the plaintiffs Michael S. Albrecht and Michael L. Albrecht of rights without due process of law.

3. At all of the times hereinafter mentioned, the plaintiffs Michael S. Albrecht (hereinafter "Father") and Michael L. Albrecht (hereinafter "Son") were parent and child and were and now are residents of the City of West Allis, County of Milwaukee and State of Wisconsin, with their residence located at 2153 South 88th Street.

4. At all of the times hereinafter mentioned, the involuntary plaintiff, UnitedHealthcare, Insurance Company (hereinafter "UnitedHealthcare") was and now is a foreign insurance corporation which provides health insurance benefits, and whose agent for service in Wisconsin is CT Corporation System located at 80~~20~~ Excelsior Drive, Suite 200, Madison, Wisconsin 53717.

5. At all of the times hereinafter mentioned, the defendant City of West Allis, (hereinafter "City") was and now is a municipal corporation duly organized and existing under and pursuant to the laws of the State of Wisconsin, with its principal place of business located at 7525 West Greenfield Avenue in the City of West Allis, County of Milwaukee, and State of Wisconsin; that in the conduct of its operation and function, said defendant City regulates and controls police officers and policing duties for the City of West Allis.

6. Upon information and belief, at all of the times hereinafter mentioned, the defendant Ryan McNally (hereinafter "McNally") was and now is a resident of the City of West Allis, County of Milwaukee, State of Wisconsin, his residential address is unknown and was at all times a police officer employed by the defendant City.

7. Upon information and belief, at all of the times hereinafter mentioned, the defendant Timothy Gold (hereinafter "Gold") was and now is a resident of the City of West Allis, County of Milwaukee, State of Wisconsin, his residential address is unknown and was at all times a police officer employed by the defendant City.

8. Upon information and belief, at all of the times hereinafter mentioned, the defendant Steven Martin (hereinafter "Martin") was and now is a resident of the City of West Allis, County of Milwaukee, State of Wisconsin, his residential address is unknown and was at all times a police officer employed by the defendant City.

9. Upon information and belief, at all of the times hereinafter mentioned, the defendant Charles Padgett (hereinafter "Police Chief") was and now is a resident of the City of West Allis, County of Milwaukee, State of Wisconsin, his residential address is unknown and was at all times relevant the acting police chief or the police chief for the defendant City.

10. Plaintiffs sue each and all defendants in both their individual and official capacities.

11. On or about the 13th day of August, 2012, at approximately 11:50 p.m., the plaintiff Son was on the porch of his residence located at 2153 South 88th Street in the City of West Allis, County of Milwaukee, State of Wisconsin.

12. On said date, the defendants McNally, Gold and Martin, while employed as police officers by the defendant City were on patrol in said area.

13. At said time and place of the incident and prior thereto the defendants McNally, Gold and Martin, acting as hereinbefore alleged, violated the provisions of the Fourteenth Amendment of the Constitution of the United States of America and the Constitution of the State of Wisconsin and were then and there guilty of one or more of the following malicious and reckless acts and/or omissions:

- a. Grabbing the plaintiff Son by the back of his hair and pulling him off the porch and down the steps, throwing him to the ground and dragging him across his driveway and throwing him onto the cement street, pinning him down with a knee into the back of his neck;
- b. Grabbing the plaintiff Father and flipping him face first, onto the street, slamming him onto the ground on his right side and right eye, handcuffing him and then dragging him about 15 feet into the street and throwing him into the back of a squad car where he remained for a period of time with the door opened, then grabbing him out of the squad car and dragging him approximately 20 feet and throwing him into another squad car where he sat for a period of time, and then grabbing him out of that squad car, dragging him for a substantial distance and throwing him into a third vehicle, where he was not seat-belted, with handcuffs on and then driving to the police station at an excessive rate of speed and causing him to be thrown back and forth in the motor vehicle;
- c. Causing both the plaintiff Son and the plaintiff Father to be falsely arrested and maliciously charged with unfounded municipal ordinance violations for no reason.

14. At said time and place and repeatedly prior thereto, the defendant Police Chief, acting under color of statutes, customs, ordinances, and office policies in usage of his employer, as hereinbefore alleged, violated the provisions of the Fourteenth Amendment of the Constitution of the United States of America and the Constitution of the State of Wisconsin and, upon information and belief, was then and there guilty of one or more of the following malicious and reckless acts and/or omissions:

- a. Encouraging, acquiescing and approving of the acts of the defendants McNally, Gold and Martin, of their use of excessive force when confronting citizens and when effecting an arrest, by permitting them to remain on the West Allis Police Force when it was known that they tended to use excessive force, based upon prior incidents;
- b. Failing to adequately train and supervise the defendants McNally, Gold and Martin in the use of force when confronting citizens and/or effecting an arrest;
- c. Condoning the conduct of the defendants McNally, Gold and Martin in maliciously charging citizens with unwarranted municipal ordinance violations and/or criminal charges and falsely arresting the plaintiffs Father and Son.

15. At said time and place and repeatedly prior thereto, the defendant City, acting under color of statutes, customs, ordinances, official policies in usage through its employees, including, but not limited to its police force and the defendants McNally, Gold, Martin and Police Chief, violated the provisions of the Fourteenth Amendment of the Constitution of the United States and the Constitution of the State of Wisconsin and were then and there guilty of one or more the following malicious and reckless acts and omissions:

- a. Upon information and belief, encouraging, acquiescing and/or approving of the practice of using excessive force when a member of its police force effected a confrontation and/or arrest of its citizens;

- b. Failing to implement adequate training and supervision of its police force in the use of force when confronting citizens and/or effecting an arrest;
- c. Condoning its officers' issuance of citations for unwarranted municipal ordinance violations and/or criminal charges and falsely arresting the plaintiffs Father and Son.

16. As a direct and proximate result of the aforesaid malicious and reckless acts and/or omissions of the defendants, and each of them, the plaintiff Father then and there sustained severe and permanent injuries resulting in damages as a consequence of the acts and/or omissions of the defendants City, McNally, Gold, Martin and Police Chief, including, but not limited to pain in or around his right eye, visual disturbances, a retinal detachment, an increased intraocular pressure, a global rupture, an abrasion to his right eye and temple, bilateral wrist pain from the handcuffs, right hand swelling, and frequent and severe headaches, a severe shock to his nervous system and other serious injuries; that he, upon information and belief, was permanently and seriously injured, suffered and will suffer great pain of body and mind; that he was and will be obligated to expend monies for medical care and attendants; that he was unable to perform the duties of his occupation; that his ability to enjoy life was and will be substantially impaired, all to his damage in amounts to be set by the trier of fact.

17. As a direct and proximate result of the aforesaid malicious and reckless acts and/or omissions of the defendants, and each of them, the plaintiff Son then and there sustained severe and permanent injuries resulting in damages as a consequence of the acts and/or omissions of the defendants City, McNally, Gold, Martin and Police Chief, including, but not limited to bruises and scrapes to his upper right shoulder, hair being pulled out from the back of his head, laceration and bruise of his left wrist, contusion and abrasion to his right knee, frequent and severe headaches, a severe shock to his nervous system and other serious injuries; that he,

upon information and belief, was permanently and seriously injured, suffered and will suffer great pain of body and mind; that he was and will be obligated to expend monies for medical care and attendants; that his ability to enjoy life was and will be substantially impaired, all to his damage in amounts to be set by the trier of fact.

18. The plaintiffs Michael S. Albrecht and Michael L. Albrecht filed Notices of Claim and Damages with the City of West Allis on or about May 8, 2015 and, through their attorney, have been attempting to resolve this matter but have received no response nor offer of settlement and assume the defendant City is unwilling to make payments to settle this matter.

19. Upon information and belief, the involuntary plaintiff UnitedHealthcare may have paid a portion of the medical bills incurred by the plaintiff Father and is entitled to reimbursement and/or subrogation under the laws of the State of Wisconsin.

That as and for a second claim against the defendants City of West Allis, Ryan McNally, Timothy Gold, Steven Martin and Charles Padgett, the above-named Michael S. Albrecht and Michael L. Albrecht, by their attorneys, the Law Offices of Robert A. Levine, represented by Robert A. Levine, allege and show to the court as follows:

20. Reiterate, repeat and reallege by reference all of the allegations contained in paragraphs 1 through 19 of the claim for and on behalf of the plaintiffs Michael S. Albrecht and Michael L. Albrecht with the same force and effect as if herein set forth in full.

21. This is a civil action seeking damages against the defendants City, McNally, Gold, Martin and Police Chief for committing acts under power of law which deprived the plaintiffs Father and Son of rights secured by the Constitution and Laws of the United States of America and the Constitution and Laws of the State of Wisconsin, including, but not limited, to depriving the plaintiffs Father and Son without due process of law.

22. On the aforementioned date and for some time prior thereto, there was in full force and effect in the United States a certain act commonly known as the Civil Rights Act of 1871, Title 42 of the U.S. Code, which says, in part, as follows:

Every person who under color of any statute, ordinance, regulation, custom or usage of any state or territory or the District of Columbia, subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof, to the deprivation of any rights, privileges or immunities secured by the Constitution and Laws shall be liable to the party injured in an action at lawsuit, in equity or other proper proceeding for redress. . . .

Title 42, § 1983, U.S. Code.

23. At the time and place of the incident and prior thereto, the defendants McNally, Gold, and Martin, acting under color of the statutes, ordinances, regulations, customs, official policies and usage of their employer, as hereinbefore alleged, violated the provisions of the Fourteenth Amendment to the Constitution of the United States and the Constitution of the State of Wisconsin and were then and there guilty of one or more of the following malicious and/or reckless acts and/or omissions: using excessive and unreasonable force resulting in injuries and damages to the plaintiffs Father and Son and issuing unwarranted municipal ordinance charges against the plaintiffs Father and Son, resulting in malicious prosecutions and false arrests.

24. At said time and place, and repeatedly prior thereto, the defendant Police Chief acting under color of the statutes, ordinances, regulations, customs, official policies and usage of his employer, as hereinbefore alleged, violated the provisions of the Fourteenth Amendment to the Constitution of the United States and the Constitution of the State of Wisconsin and was then and there guilty of one or more of the following malicious and/or reckless acts and/or omissions: encouraging, acquiescing and/or approving the acts of the defendants McNally, Gold and Martin using excessive and unreasonable force when confronting citizens and/or effecting an arrest by

permitting them to remain on the West Allis Police Force when it was known that they tended to use excessive force, based upon prior incidents, and in failing to adequately train and supervise the defendants McNally, Gold and Martin in the use of force when confronting citizens and/or effecting an arrest, and encouraging and allowing malicious prosecution by the defendant City as a result of conduct of the defendants McNally, Gold and Martin and failing to properly supervise and discipline his officers.

25. At said time and place, and repeatedly prior thereto, the defendant City, acting under color of the statutes, ordinances, regulations, customs, official policies and usage, as hereinbefore alleged, violated the provisions of the Fourteenth Amendment to the Constitution of the United States and the Constitution of the State of Wisconsin and was then and there guilty of one or more of the following malicious and/or reckless acts and/or omissions: encouraging, acquiescing and/or approving the acts of the defendants McNally, Gold, Martin and Police Chief in using excessive and unreasonable force when confronting citizens and/or effecting an arrest by permitting them to remain on the West Allis Police Force when it was known that they tended to use excessive force, based upon prior incidents, and in failing to adequately train and supervise the defendants McNally, Gold and Martin in the use of force when confronting citizens and/or effecting an arrest and encouraging and allowing malicious prosecution and false arrest of the plaintiffs Father and Son as a result of the conduct of the defendants McNally, Gold and Martin.

26. As a direct and proximate result of the aforementioned malicious and reckless acts and/or omissions of the defendants City and Police Chief, and each of them, the plaintiffs Father and Son sustained the severe and permanent injuries as hereinbefore set forth.

27. As a direct and proximate result of the aforementioned malicious and reckless acts and/or omissions of the defendants City, McNally, Gold, Martin and Police Chief, and each of

them, the plaintiffs Father and Son then and there suffered and will continue to suffer great pain and anguish, both in mind and body.

WHEREFORE, the plaintiff Michael S. Albrecht demands judgment against the defendants City of West Allis, Ryan McNally, Timothy Gold, Steven Martin and Charles Padgett, as follows:

- A. Compensatory damages in an amount to be set by the trier of fact, together with costs, disbursements and reasonable attorney's fees.
- B. Punitive damages in an amount to be set by the trier of fact, together with costs, disbursements and reasonable attorney's fees.

WHEREFORE, the plaintiff Michael L. Albrecht demands judgment against the defendants City of West Allis, Ryan McNally, Timothy Gold, Steven Martin and Charles Padgett, as follows:

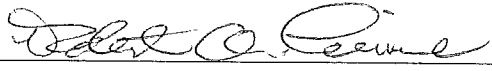
- A. Compensatory damages in an amount to be set by the trier of fact, together with costs, disbursements and reasonable attorney's fees.
- B. Punitive damages in an amount to be set by the trier of fact, together with costs, disbursements and reasonable attorney's fees.

WHEREFORE, the involuntary plaintiff UnitedHealthcare demands judgment against the defendants City of West Allis, Ryan McNally, Timothy Gold, Steven Martin and Charles Padgett, in an amount the trier of fact deems fair and reasonable together with its costs and disbursements.

DEMAND IS HEREBY MADE FOR A TWELVE PERSON JURY

Dated at Milwaukee, Wisconsin this 3rd day of June, 2015.

LAW OFFICES OF ROBERT A. LEVINE,
Attorneys for Plaintiff

By: 
Robert A. Levine
State Bar #1011965
Jonathan J. Cattey
State Bar #1079322

P.O. ADDRESS:

111 East Wisconsin Avenue, Suite #1710
Milwaukee, WI 53202
Phone: (414) 271-9585; Fax: (414) 271-8506
E-Mail: rlevine@rlevinelaw.com
jcattey@rlevinelaw.com

MICHAEL S. ALBRECHT and
MICHAEL L. ALBRECHT

Plaintiff

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Involuntary Plaintiff,

vs.

CITY OF WEST ALLIS, a municipal corporation,
RYAN McNALLY, TIMOTHY GOLD, STEVEN
MARTIN, and CHARLES PADGETT,

Defendants.

Case No. *15 CV 4648*

Code: 30107

Classification: Personal Injury-
Other

**PLAINTIFFS' FIRST SET OF WRITTEN INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANTS**

TO: Defendants, City of West Allis, Officer Ryan McNally,
Officer Timothy Gold, Officer Steven Martin and
Police Chief Charles Padgett

PLEASE TAKE NOTICE that pursuant to Wisconsin Statutes Sections 804.08 and 804.09, the defendants City of West Allis, Ryan McNally, Timothy Gold, Steven Martin, and Charles Padgett, are required to answer the following interrogatories in writing and under oath, and to produce for inspection and copying at the offices of defendant's attorneys, The Law Offices of Robert A. Levine, 111 East Wisconsin Avenue, Suite 1710, Milwaukee, Wisconsin 53202, the following documents and things, within forty-five (45) days hereof.

Answer each interrogatory separately and fully, in writing, under oath, unless it is objected to, in which event the reasons for objection must be stated in lieu of an answer.

An evasive or incomplete answer is deemed to be a failure to answer under Rule 804.12.

You are under a continuing duty to seasonably supplement your responses with respect to any question directly addressed to the identity and location of persons having knowledge of discoverable matter, and the identity of each person expected to be called as a witness. Furthermore, you are under a similar duty to correct any incorrect response when you later learn that it is incorrect.

DEFINITIONS AND INSTRUCTIONS

1. The terms “you” and “your” shall mean the defendants City of West Allis (hereinafter “City”), Ryan McNally (hereinafter “McNally”), Timothy Gold (hereinafter “Gold”), Steven Martin (hereinafter “Martin”), and Charles Padgett (hereinafter “Police Chief”), and any employees, agents, attorneys and any other persons acting on behalf of the named defendants City, McNally, Gold, Martin and Police Chief.

2. The term “document(s)” means the original and any non-identical copy (which is different from the original or any copy because of notations thereto, or otherwise) of any written, printed, typewritten, handwritten, recorded, graphic or photographic matter or material (however produced, reproduced or recorded), including without limitation all of the following: correspondence, notes, telegrams, memoranda, contracts (including amendments and change orders accepted or proposed), reports, studies, diaries, time-Blips, log-books, day-books, work schedules, pamphlets, charts, maps, plans, drawings, calendars, tabulations, calculations, financial records, tax returns, audit reports, progress notes and reports, bids, quotations, estimates, bonds, invoices, drafts, working papers, work sheets, books, computer printouts,

computer cards, computer tapes, minutes and minute books (of any meeting of any person(s), committee or board), statements, checks, receipts, administrative regulations, journals and authoritative texts, statistical or informational accumulations or summaries, files, photographs microfilm or mechanical reproductions, attachments, enclosures and other materials related to or referred to in any of the foregoing and all other records of any kind in the possession and/or under the control of you or your corporate successors, predecessors, parents, subsidiaries, divisions and/or any other corporation controlled by the parent, or any officer, director, agent, employee, representative, owner, and/or attorney of any of the foregoing person(s) or entities which relate in any way whatsoever to any of the subjects referred to in the following Demand for Production or to any written or oral communication(s) of any kind relating to or regarding any such subject, in whole or in part. Designated documents are to include all attachments, enclosures and other documents that are attached, related to or referred to such designated documents in any way.

3. "Or" shall be construed disjunctively or conjunctively so as to bring within the scope of this demand for production any information which might otherwise be construed to be outside its scope.

4. "Identify" when used in reference to a person means state the person's full name, telephone number, current residential and business addresses, together with your relationship with them, if any, and if not presently related, a description of any previous relationship with them.

5. "Identify" when used in reference to a document means to state the date and author, type of document (e.g., letter, memorandum, telegram, chart, etc.), addressee or other intended recipient or audience, a summary of its contents and its present location and custodian.

In the event there are documents fitting the descriptions set forth of which you are aware, which are no longer in your possession, custody or control, state the disposition and location of such documents.

6. "Identify" when used in reference to a conversation, conference, meeting or other oral communication means to identify all persons participating or attending and to identify all documents recording, summarizing or otherwise arising from the conversation, conference, meeting or other oral communication in accordance with the definitions above. In addition, a request to identify a conversation, conference, meeting or other oral communication means to state its purpose, the subject discussed, the method of communication used (e.g., telephone, in person, or other means) and if by telephone, specify the caller and the person called, the action taken at and following it, and the date, place and purpose of such action, and to identify the person(s) taking such action.

INTERROGATORIES

INTERROGATORY NO. 1: State whether or not City of West Allis Police Officers came to the residence of the plaintiff Michael S. Albrecht (hereinafter "Father") on August 12, 2012.

INTERROGATORY NO. 2: : If you answered Interrogatory No. 1 "yes," then answer this question: state the name(s) and address(es) of all police officers who came to the residence of the plaintiff Father on August 12, 2012, and the time of each officer's arrival.

INTERROGATORY NO. 3: If you answered Interrogatory No. 1 "yes," then answer this question: State the reason(s) that the officers went to the plaintiff Father's residence on August 12, 2012.

INTERROGATORY NO. 4: State whether or not the plaintiff Son was on the front porch of his residence when the first police officers arrived and, if so, the number of other people who were on the porch with him.

INTERROGATORY NO. 5: State whether or not the officers went to the plaintiff Father's residence on August 12, 2012 as a result of an alleged theft of a \$250.00 BMX bicycle.

INTERROGATORY NO. 6: If you answered Interrogatory No. 5, "yes," then answer this question: Based on what evidence, including any and all statements, did the police officer's go to the plaintiff Father's residence on August 12, 2012.

INTERROGATORY NO. 7: Did the officers ever determine whether or not the plaintiff Michael L. Albrecht (hereinafter "Son") had possession of the stolen BMX bicycle?

INTERROGATORY NO. 8: If you answered Interrogatory No. 7, "yes," then answer this question: Did the plaintiff Son have possession of the stolen BMX bicycle?

INTERROGATORY NO. 9: Was the plaintiff Son ever charged with the theft of the alleged stolen BMX bicycle and, if so, when was he charged?

INTERROGATORY NO. 10: State whether or not any police officer threw the plaintiff Father to the ground.

INTERROGATORY NO. 11: If you answered Interrogatory No. 10, "yes," then answer this question: State the name(s) of the officer(s) who threw the plaintiff Father to the ground.

INTERROGATORY NO. 12: State whether or not any police officer dragged the plaintiff Father across the pavement and threw him into a police car.

INTERROGATORY NO. 13: If you answered Interrogatory No. 12, "yes," then answer this question: State the name(s) of the police officer(s) who dragged the plaintiff Father across the pavement and threw him into the police car.

INTERROGATORY NO. 14: Was the plaintiff Father handcuffed?

INTERROGATORY NO. 15: Was the plaintiff Son handcuffed?

INTERROGATORY NO. 16: If you answered Interrogatory No. 14 or 15 “yes,” then answer this question: State when and where the plaintiff Father and/or the plaintiff Son were handcuffed.

INTERROGATORY NO. 17: State whether or not the plaintiff Father was placed in three different police vehicles and, if so, why.

INTERROGATORY NO. 18: State the name of the officer who transported the plaintiff Father to the police station.

INTERROGATORY NO. 19: State whether or not the plaintiff Father was arrested on August 12 or August 13, 2012.

INTERROGATORY NO. 20: If you answered Interrogatory No. 19, “yes,” then answer this question: State what time the plaintiff Father was arrested and what charges were issued.

INTERROGATORY NO. 21: State whether or not there were any witnesses to the incident and, if so, state the name(s) and current address(es) of all witnesses to the incident.

INTERROGATORY NO. 22: If you answered Interrogatory No. 21, “yes,” then answer this question: State whether or not statements were taken from any witnesses to the incident and, if so, the name(s) and address(es) of the person(s) or entity(ies) who has custody of the statements.

INTERROGATORY NO. 23: State whether or not any citizen complaints have ever been filed or made against the defendant officers Ryan McNally, Timothy Gold and/or Steven Martin and, if so, the name(s) and address(es) of all complainants and the date(s) of all complaints.

INTERROGATORY NO. 24: State whether or not any of the defendant officers Ryan McNally, Timothy Gold and Steven Martin have ever been disciplined and/or suspended, by the City of West Allis, the City of West Allis Police Department or any other police department as a result of acting in their official capacity as police officers and, if so, for what reason and what was the penalty or penalties.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Any and all statements taken of any and all witnesses to the incident of August 12, 2012 involving the plaintiffs Father and Son.

REQUEST NO. 2: Any and all complaints filed with the West Allis Police Department and/or the City of West Allis against any and all of the defendant officers McNally, Gold and Martin.

REQUEST NO. 3: Any and all disciplinary documents, files and information against any and all of the defendant officers McNally, Gold and Martin.

REQUEST NO. 4: Any and all records of or relating to any suspensions of any of the defendant officers McNally, Gold and Martin.

Dated at Milwaukee, Wisconsin, this 3rd day of June, 2015.

LAW OFFICES OF ROBERT A. LEVINE,
Attorneys for the Plaintiff, Shawn M. Govern

By: 

Robert A. Levine, State Bar No. 01011965
Jonathan J. Cattey, State Bar No. 01079322

P.O. ADDRESS:

111 East Wisconsin Avenue, Suite 1710
Milwaukee, WI 53202
Phone: 414-271-9585; Fax: 414-271-8506
rlevine@rlevinelaw.com; jcattey@rlevinelaw.com