

**NOTICE OF CLAIM AGAINST CITY OF MENASHA AND ITS  
EMPLOYEES**

To: Deborah A. Galeazzi, City Clerk, 140 Main Street, 3<sup>rd</sup> floor, Menasha, WI 54952

Pursuant to Sec. 893.80, Wis. Stats., I, Daniel L. Gueths, 7255 Manitowoc Road, Menasha, WI 54952, hereby submit the following claim against the City of Menasha and its employees for property damage, personal injury and violation of civil rights that occurred as a result of the actions of the City of Menasha Police Department (MPD) in entering my property at the address above in the City of Menasha, Calumet County, Wisconsin without a warrant, probable cause, consent or any other legal justification between 10:49 p.m. and 11:27 p.m. on May 30, 2010. Incident No. 10-001843. (10-005614)

In particular, the MPD entered my property without adequate evidence that a crime had been committed or that there was any reasonable suspicion that a crime had been committed at the Winnegamie Dog Club at 7245 Manitowoc Road. Further, members of the MPD refused to leave when I asked them to do so on multiple occasions and after they had reliable information verifying my identification as the owner of the property. MPD officers were armed and drew their weapons. They threatened me with a Taser which based upon my medical history would have likely triggered a heart attack if used. Officers further attempted to break through a locked wooden fence which separated me from them. As a result of the officers' actions, the fence was damaged.

As a result of the above, I claim to be entitled to the following relief:

1. Cost of repair to the fence: \$100.00 (estimate).
2. Violation of my civil rights under the United States and Wisconsin Constitutions and statutes to be free from unreasonable searches and seizures in the amount of \$5,000,000.<sup>00</sup> *Five Million Dollars*
3. Intentional infliction of emotional distress, pain and suffering and intentional malice by putting my life in imminent danger with reckless behavior and making false statements on a police report and other non-economic damages in the amount of \$5,000,000.<sup>00</sup> *Five Million Dollars*

In addition to the above, I am filing a separate complaint to the Police Commission for the City of Menasha to consider administrative action against the officers involved.

Dated this 20th day of September, 2010.

*Daniel L. Gueths*

*Reviewed by: City Clerk Deborah A. Galeazzi  
9/20/10*