

K. Andraeh Briarmoon
and targeted city resident citizens

Plaintiff

Case No: 04 CV 136

v.

Municipality of Janesville
City Manager Steve Scheiffer
City Attorney Wald Klimczyk
City Clerk-Treasurer Jean Wulf
City Inspector Christine Wilson

Defendant

**AMENDED CLAIM
RESPONSE to DECISION ON MOTIONS TO DISMISS**

Information in the "Decision on Motions to Dismiss" shows my language and writing style in my original complaint to have been glaringly and inadequately vague, which was not my intention. Nor were the other appropriate documents attached to the original complaint for evidence, which I thought were to have been presented at the trial, but which are attached here.

The Defendant collective, that is, the Defendants, plural, being the Municipality of Janesville and specifically Steve Scheiffer, Wald Klimczyk, Jean Wulf, and Christine Wilson conspired to create and implement the practices and procedures with respect to assessments and repairs of homes and buildings, the issuance of condemnation orders, home repair, and building permits. With these practices and procedures they refuse to allow the primary right of numerous citizens to maintain repair and retain personally held real estate property homes and buildings of persons willing and able to do so. They misuse and abuse their authority, position, and city employee duties to the citizen public.

They created these practices and procedures with intent to illegally confiscate property without up front eminent domain compensation to the property owners. With intent to eradicate affordable housing. With intent to put out of business the mom and pop landlords in the neighborhood. With intent to devalue a neighborhood into "blighted" status to lower redevelopment and urban renewal costs of planned, voted, approved, implemented, and funded project plans to be located on prime riverfront and riverview real estate property. With intent to transfer private property from one private owner to a different private owner.

The Defendants have a consistent methodical comprehensive multifaceted approach to violate property owner right to repair, maintain, and retain their homes and buildings, and to illegally devalue these properties, to illegally confiscate and destroy these buildings, and to illegally acquire the consequently vacanted lots with demolition billed to the owner, their buildings and properties robbed from them and them billed for the theft.

The original complaint outlines the steps of the practices and procedures created by the defendants and the parts played by each defendant to successfully implement and perpetuate these practices and procedures. Substantial civil damages have been the result.

Plaintiff requests that Plaintiff's claims against City Manager Scheiffer, City Attorney Klimczyk, and City Clerk-Treasurer Wulf not be dismissed. Plaintiff requests that based on this additional information, evidence, and clarification that the Judge might reverse his prior decision of February 25th, 2004.

Attached are chronology, condemnation letters, letters between Plaintiff and Defendants outlining names, dates, times, and places of violations, interference, harassment, intimidation, and threats by Defendants,

and also each Defendant's neglect and refusal to act in a dutiful, appropriate, responsible or legal manner. **Attached** are two plans; "Riverfront Plan" and "River Street Realignment" incorporated into the "Riverfront Plan".

The Defendants collectively use every means possible in a relentless barrage of tactics of violations, harassment, intimidation, and threats to interfere with the primary right of a citizen to repair, maintain, and retain their homes and buildings. And to perpetuate these procedures and practices, and to suppress the ability for the general public to acquire the information to know about or to put a stop to these practices and procedures. Thus the request by Plaintiff for the Harassment Injunction, and Plaintiff concern about allowing Defendants upon her property, as they had no legal reason or cause to issue a condemnation order in the first place.

The Defendants' procedures and practices also intentionally and effectively deplete the personal finances necessary for citizens to be able to appropriately defend their rights in a court of law with qualified representation.

Plaintiff requests Judge grant relief to Plaintiff for litigation costs to be awarded to Plaintiff by Defendant of the payment of Plaintiff attorney

retainer fee of \$15,000 made payable to Steve Porter of Porter and Jablonski at 354 West Main Street, Madison, Wisconsin 53703.

A portion of Plaintiff's current costs include \$5030 prior attorney fees, \$1000 to contractor ran off the site with intimidation calls to contractor of alleged "stop work order" by Defendant Christine Wilson after contractor began repairs, and \$15,600 for a two year rental contract rents for business tenant that Defendants effectively voided by refusing to issue to tenant the tenant legal right to a tenant business occupancy permit for the lower front unit of the main building (carriage house was not included as a part of the rental agreement, but was Defendants' excuse for denying the permit).

Plaintiff requests the Judge grant relief to the Plaintiff by award of reimbursement to Plaintiff by Defendants of these costs totaling \$21,630 paid within five business days. **Attached** are rental contract, contractor contract, cancelled check, photos, and receipts.

Additional Plaintiff costs for Defendant action, interference, and irresponsibility since the commencement of the carriage house matter, that began 01-01-03, include Plaintiff loss of career income commissions at an average loss of \$2000 per month, to date totaling \$30,000. Plaintiff requests that the Judge grant relief to Plaintiff by award of reimbursement of this cost to Plaintiff by Defendants within five business days.

All attachments here were already personally delivered by Plaintiff to Defendant's attorney in hopes that Defendant's attorney might be able to be instrumental in keeping damages and restitution as low as possible for the Janesville citizens for the possibility of out of court non-federal resolution of the elimination of these practices and fair compensation to prior victims.

With deep appreciation and gratitude, I apologize for the obvious extensive additional time and energy the Honorable Judge is having to put into this case as a result of my current Pro Se status. Please know that I am doing the very best that I can with full use of the limited means available to me.

Dated this 4th day of March, 2004.

By the Plaintiff:

K. Andreah Briarmoon, Pro Se

Copies to:

The Honorable Judge John J. Roethe
via original to the court file

Attorney Ted Waskowski
by fax with fax confirmation and regular mail
with Affidavit of Mailing