

K. Andreah Briarmoon
and targeted city resident citizens

Plaintiff

v.

Case No. 04 CV 000136

Municipality of Janesville
city manager; Steve Scheiffer
city attorney; Wald Klimczyk
city clerk-treasurer; Jean Wulf
city inspector; Christine Wilson

Defendant

K. Andreah Briarmoon and targeted city resident citizens' **NOTICE AND MOTION**
for TEMPORARY INJUNCTION and/or for RESTRAINING ORDER and/or for
HARASSMENT RESTRAINING ORDER/INJUNCTION and for Civil Rights Class
Action Trial

TO: All Counsel of Record

1. PLEASE TAKE NOTICE that plaintiff, Briarmoon, et al, moves the court pursuant to Wis. Stat. 813.02 and/or 813.08 for a temporary injunction, and/or Wis. Stat. 893.76 and 66.0413(1)(h) for a restraining order against the Defendant from proceeding with the condemnation order dated July 18, 2003 and against razing of carriage house at 1402 West Court Street. The 30-day after-service time-limit extension of said order ends January 23, 2004, per city attorney decision, of just four business-days ago.
2. Wis. Stat. 813.125 and 813.02 and 813.08 and 893.76 and 66.0413(1)(h) for a restraining order/injunction against Defendant from pursuing any currently pending condemnation actions or razing orders of citizen-held properties for 365 days for city council to conduct a study session on the situation of practices and select employee evaluations, and that Defendant cease or avoid the harassment of Plaintiff, avoid the residence and any premises owned or occupied by Plaintiff, and
3. Pursuant to any additional Wisconsin Statute the honorable judge would deem appropriate to allow for the fullest possible options of remedy and relief and compensation and full accountability of the damages to our citizens of the current state statute application practices by Defendant which goes contrary to the overall and original

purpose, intent, assumptions, and intended consequences of Wisconsin Statutes, in particular Wis. Stat. 66.0413 Razing Buildings, so that the judge/s may award "after the fact eminent domain" compensation at current appraised value and may award full restitution of all costs and damages to each family that got their home taken, their mortgage foreclosed, their finances put into bankruptcy, their credit rating destroyed, their savings and retirement funds expended, their residency status changed to homeless, and their hearts broken.

4. This motion will be heard at a time, date, and place to be set by the court.

BEFORE: _____
PLACE: Rock County Court House
51 South Main Street, Janesville, Wisconsin
DATE: _____
TIME: _____

5. The grounds for this motion, as more fully set forth in the accompanying Complaint, and Temporary Restraining Order/Injunction, are that the action sought to be enjoined confronts Plaintiff with grave risk of irreparable injury for which Plaintiff will have no adequate remedy at law; plaintiff is likely to prevail on the merits of Plaintiff's claim; and issuance of the requested restraining order/injunction is necessary to preserve the status quo; and the risks confronted by Plaintiff require that the court grant the requested relief immediately before a hearing on the motion for a temporary restraining order/injunction. Plaintiff fears Defendant retaliation.

6. The act of preventing or postponing Defendant from proceeding with condemnation orders and the razing of homes and outbuildings will not cost Defendant any expenses, hardship, or additional costs, and will retain the tax base, and will lower Defendant eventual costs of restitution for actions committed thus far; thus no bond is necessary.

7. Defendant resides at Municipal Building, 18 North Jackson Street, Janesville, Wisconsin

Dated January 22nd, 2004

K. Andreah Briarmoon
spokesperson for Plaintiff representing self
No state bar numbers

Contact person:
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