



MOTLEY LEGAL

*Reed @ KCC
Heather Krak
Elected Officials*

Afghanistan and United States
Afghan Tel: +93 (0) 788 887 887
Int'l Tel : +1 (704) 765-4887
U.S. Tel : +1 (704) 763-5413
Website : motleylegal.com

GL-23-20

December 18, 2020



Chief Daniel Miskinis, Chief of Police
Kenosha Police Department
1000 55th Street
Kenosha, Wisconsin 53140
Email : dgm398@kenoshapolice.com

Sheriff David G. Beth
Kenosha Sheriff's Department
1000 55th Street
Kenosha, Wisconsin 53140
David.beth@kenoshacounty.org

Matt Krauter
City Clerk/Treasurer
City of Kenosha
625 52nd Street, Room 105
Kenosha, Wisconsin 53140

Regi Bachochin
County Clerk
Kenosha County
1010 56th Street
Kenosha, WI 53140

Mayor John Antaramian
Office of the Mayor
625 52nd Street
Kenosha, Wisconsin 53140

VIA Hand Delivery

Re: Notice of claims of Gaige Grosskreutz

Dear Mayor Antaramian, Chief Miskinis, Sheriff Beth, Mr. Krauter, and Mr. Bachochin,

I write on behalf of our client, Gaige Grosskreutz, an adult individual who resides in City and County of Milwaukee, pursuant to Wisconsin Statute § 893.80 to provide notice of state law claims that he has against the City of Kenosha, Kenosha County, the Kenosha County Sheriff's Department, Police Chief Miskinis, Sheriff Beth, and as-yet unknown employees or former employees of the City of Kenosha, Kenosha Police Department, or Kenosha County Sheriff's Department.

Mr. Grosskreutz may be contacted through his attorneys, (Attorney Kimberley Motley and Attorney E. Milo Schwab), at the following addresses:

Motley Legal Services
P.O. Box 1433
Matthews, North Carolina 28106
Office : (704) 765-4887
Mobile : (704) 763-5413
Fax : (704) 582-6229
kmotley@motleylegal.com
milo@ascendcounsel.co

Motley Legal Services
2206 Bonnie Butler Way
Charlotte, North Carolina 28270
Office : (704) 765-4887
Mobile : (704) 763-5413
Fax : (704) 582-6229
kmotley@motleylegal.com
milo@ascendcounsel.co



Factual Background:

On August 25, 2020, Gaige Grosskreutz, was shot and severely injured in Kenosha, Wisconsin. Mr. Grosskreutz was in Kenosha for the purpose of providing basic medical assistance to persons who were out that night protesting the shooting of Jacob Blake. There was no justification for Gaige to be shot at point blank range by Kyle Rittenhouse. Rittenhouse, a minor from out of state, illegally armed with an assault rifle, was allowed – by the Kenosha police and Kenosha Sheriff's Department – to roam the streets, threatening numerous civilians, and ultimately shooting three people, two of whom who were killed. After Rittenhouse had already shot and killed two people, Gaige was then shot and severely injured by Rittenhouse.

In response to the demonstrations in response to the killing of Jacob Blake, a far-right militia group, the Kenosha Guard, organized a call-to-arms event on Facebook, calling forth “any patriots willing to take up arms and defend our city tonight from evil thugs.” The Kenosha Guard and its members expressly encouraged and incited violence and called on others to join them. Before August 25, 2020, the Kenosha Guard posted an open letter to the Kenosha Chief of Police, requesting that the local police cooperate with the militia members, abstain from sending home or arresting members of the Kenosha Guard, and for the police to keep an open line of communication with them. The Kenosha Police and Kenosha Sheriff's Department were aware of, condoned, cooperated with and enabled the actions of the Kenosha Guard and other armed vigilantes through both explicit and implicit support. For example, officers from the Sheriff's Department handed out water to the armed vigilantes and thanked them for their presence. Video from that night also shows a militia member explaining that Kenosha police officers and deputy Sheriffs had coordinated a funneling maneuver with the Kenosha Guard and various right-wing vigilantes to push protesters towards these militia members so that they “could deal with them.”

Rittenhouse answered the Kenosha Guard's call to arms. By the end of the evening, Rittenhouse had shot and killed two people, Anthony Huber and Joseph Rosenbaum, and injured our client, Gaige Grosskreutz. After killing the first person, Rittenhouse told someone on the phone, “I just killed somebody.” He walked towards the police on the scene with his hands up as a number of bystanders yelled to the police that Rittenhouse was the shooter. However, the police ignored him and did not apprehend him.

Claims:

Claimants allege multiple state law claims against the City, the County, the Police Chief, the Sheriff, and as-yet unknown employees or former employees of the Kenosha Police Department and Kenosha County Sheriff's Office who were involved in the events resulting in Gaige being shot at point blank range in his arm,

including negligence, negligent supervision and training, negligent and intentional infliction of emotional distress, battery, *respondeat superior*, indemnification, and conspiracy to commit the claims provided above.

In addition to these state law claims for which notice may be required; Claimants allege federal claims for which notice is not required.

Itemized Damages:

Claimant request \$10,000,000.00 as compensation, for himself and he has suffered significant damages due to the intentional acts and negligence of the City, the County, the Police Chief, the Sheriff, and as-yet unknown employees or former employees of the Kenosha Police Department and Kenosha County Sheriff's Office on August 25, 2020. Claimant has suffered significant permanent physical damage, pain and suffering, loss of income and future earnings, and other damages to be determined.

Please feel free to contact me if you have any questions or concerns.



Kimberley Cy. Motley, Esq.
State Bar No.: 1047193
2206 Bonnie Butler Way
Charlotte, North Carolina 28270
Email : kmotley@motleylegal.com
Telephone : (704) 763-5413

ATTORNEY FOR GAIGE GROSSKREUTZ

*Sworn to subscribed before me on this 18th day of
December, 2020
by
My commission is current*