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FOR IMMEDIATE RELEASE



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FOR INFORMATION CALL

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Ald. Michael D'Amato  
286-2221

## Court Dismisses Lawsuit Against Ald. D'Amato, City & Neighborhood Leaders

*Judge Finds Suit Frivolous, Orders Developer/Landlord to Pay City's Legal Fees*

Federal Judge J.P. Stadtmueller today threw out a lawsuit filed by a disgruntled developer against the City of Milwaukee, Ald. Michael S. D'Amato and community leaders in the East Village neighborhood.

In addition, in his ruling Judge Stadtmueller took the highly unusual step of declaring the lawsuit frivolous, sanctioning lawyer/developer Joseph Kaye for bringing the suit and ordering him to pay all legal fees incurred by each of the 12 defendants in the case.

Ald. D'Amato, chair of the Common Council's Zoning, Neighborhoods and Development and Judiciary and Legislation Committees, said the ruling is "a major victory" for citizens working to improve their neighborhoods. "This is tremendous news for all citizens who work hard to take back their neighborhoods," said Ald. D'Amato.

"I thank Judge Stadtmueller for sending the strong message that you can't use our court system to intimidate a neighborhood and deter good people from organizing for its improvement," the alderman said, adding: "Mr. Kaye and his cronies went beyond honestly disagreeing with their neighbors and engaged in all-out character assassination – this decision should stop them from trying this tactic in other areas of the city."

**-More-**

## **Court Dismisses Lawsuit/ADD ONE**

In its order the court found that Kaye's lawsuit "must be dismissed" and imposed sanctions on Kaye because the suit was not "well grounded in fact and is not warranted by existing law or a good faith argument..."

The so-called Rule 11 of the federal statutes imposed by the court is used to deter abusive litigation practices. It is rarely used but often accompanies the financial requirement that the party bringing the lawsuit reimburse the other party or parties' attorneys' fees.

Defense fees are estimated to be \$50,000 in this case, Ald. D'Amato said.

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