

Thursday  
July 7, 2011  
4:10pm

2011 JUL - 7 2011  
P.O. Box 1123  
Milwaukee, WIS  
53201-1123

(P1812)

Motion to Supplement Please  
on  
Case # 11-CV-430 WMC  
Mary M. Fertel-Rust  
vs

- UWM Golda Meir Library et al  
City of Milwaukee Public Library System  
et al

Please, I was in Milwaukee, WIS (going & coming back on Badger Bus) on Tuesday afternoon 7/5/2011 and evening and on Wednesday 7/6/2011 till I left Milwaukee at 3pm.

In my P.O. Box on 7/6/2011 I found this material which I had requested from the library. I have Not read it which

BN

if anything is to my disadvantage because all said will be derogatory to me as it contains reasons to discipline me and keep me out of Milwaukee's <sup>Meer</sup> City Public Library & all other branches. Nevertheless since my life is so hard, still in a shock, several times in an ER room. These last months, I

P. 20/2

Capital

here it happened

Big truck  
turning right  
from MLK Jr  
St.

am daring & making to bring this in  
on lead rather than keep it with me  
at the shelter another night. I often  
am the only one asleep at 6:30pm or 7pm  
till 10pm or 11pm and I get up generally  
earlier than others but I am the oldest  
one there - age 70 plus. and I often am  
truly exhausted after our 5pm free supper.

Please forgive me -

May I end on a hope, a prayer,  
that this city & Milwaukee & this state  
all of which I love avoids civil war, and violence  
more than we already have had -

for myself - my cousin MRS Sandra  
Doherty (James) and myself were almost  
run over & maimed or killed after a noon  
lunch at Subway's on the Capitol ☐  
as we walked eastward toward Walgreens -  
ie the intersection of Res. MLK Jr  
street with whatever street that is that  
rings the Capitol. I said - oh I almost  
got my wish. Sandy was not so happy  
about it. Who had the right of way I don't  
know. We were conversing. Still not too good  
for anyone who wants to live or live unmaimed.  
This too I swear too.

Mary M. Ferstel-Rust

4:20pm  
Cheryl  
of the




MILWAUKEE PUBLIC LIBRARY  
814 W. Wisconsin Avenue  
Milwaukee, WI 53233-2385

*Received  
W 7/10/11  
Brink*

Ms. Mary Fertel Rust  
PO Box 1123  
Milwaukee, WI 53201

PRESORTED  
FIRST CLASS



UNITED STATES POSTAGE  
  
FOREVER BOWERS  
02 1M  
0004261480 JUL 05 2011  
\$ 00.59<sup>0</sup>  
MAILED FROM ZIP CODE 53202

E\*ZW851 53201





Paula A. Kiely  
*Director*

June 30, 2011

Ms. Mary Fertel Rust  
PO Box 1123  
Milwaukee, WI 53201

Dear Ms. Fertel Rust:

Enclosed are the responsive records to your open records request made to me by phone on June 15, 2011, asking for the Milwaukee Public Library letters and email correspondence regarding your library ban and ban appeal meeting.

I have enclosed copies of letters mailed to you in May and June and email correspondence dated June 7-9 related to your ban appeal meeting. I understand that Deputy Director Joan Johnson discussed with you in a phone conversation on June 9, 2011 that your ban appeal meeting would not be rescheduled. I will consider this records request closed.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula A. Kiely".

Paula A. Kiely  
Director

Enclosures



MILWAUKEE  
PUBLIC LIBRARY

*Central Library*

June 10, 2011

Ms. Mary Fertel Rust  
PO Box 1123  
Milwaukee, WI 53201

Dear Ms. Fertel Rust:

The Milwaukee Public Library strives to offer its customers an atmosphere which is conducive to reading, learning and gathering information. In a letter dated May 11, 2011, you were informed that you are banned from all Milwaukee Public Libraries until August 10, 2011.

At your request, a ban appeal meeting was scheduled with you and library staff on June 6, 2011. On June 5, you called the library and left a voice message that you would not attend the June 6 meeting. Subsequently you called on June 8 to request that another ban appeal meeting be scheduled. After review of the procedure *MPL – Library Patron Ban Appeal Process For Bans of Less Than Six Months*, Deputy Director Joan Johnson denied your appeal request because the request had to be made within fifteen days of the date of the banning letter issued to you which was May 11, 2011. This is library policy and the Director, Paula Kiely supports this decision.

You will be welcome to use any Milwaukee Public Library after August 10, 2011, and you will be expected to follow the Code of Conduct Policy. Additional violations may result in progressively longer bans. Any entry onto Milwaukee Public Library property before then will be considered trespassing, and the police will be called.

If you have questions regarding this matter, please call the Library Security Manager at 286-8719.

Sincerely,

Joan R. Johnson  
Deputy Director

C: Michael Weber, Library Security Manager  
Christine Arkenberg, Public Services Area Manager

**Sura, Crystal**

**From:** Weber, Michael  
**Sent:** Wednesday, June 08, 2011 4:46 PM  
**To:** Lauber, Dawn; Johnson, Joan; Sura, Crystal; Arkenberg, Christine  
**Subject:** RE: Mary Fertl Rust

I also support your decision.

We cannot let patrons continue to schedule appeals and make the needed adjustments in our schedules and have them cancel and ask for another date. That Monday I came in early in order to participate in the *appeal* only to find that it was cancelled. I close on Monday's, so I had a long day. I do not want to make that a habit. I support changing the procedure to reflect one scheduled appeal.

Thanks,

Michael Weber

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**From:** Lauber, Dawn  
**Sent:** Wednesday, June 08, 2011 3:47 PM  
**To:** Johnson, Joan; Sura, Crystal; Arkenberg, Christine; Weber, Michael  
**Subject:** RE: Mary Fertl Rust

I support your decision.

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**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:40 PM  
**To:** Johnson, Joan; Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Subject:** RE: Mary Fertl Rust

P.S.—I forgot to say that your thoughts, input, other suggestions are welcome. I won't try to call her until closer to 5 p.m. or tomorrow morning.

---

**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:39 PM  
**To:** Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Cc:** Johnson, Joan  
**Subject:** RE: Mary Fertl Rust

All,

I just reviewed the policy and unfortunately, nothing in it addresses what happens if an appeal hearing that has been scheduled is cancelled by the patron. We don't state either way that the patron also waives the right to any further consideration for an appeal. I think we need to revise the policy to this affect. At this point, her request is outside the 15 day time frame, and I'm likely to deny the request on that basis. Also, in reviewing the policy, I was reminded that all requests for appeals on bans longer than one month are to be in writing and "shall state the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed." I don't recall that she provided that information in her original request. I will call her to let her know that her request is denied because we are beyond the 15-day time frame and that she needs to honor her ban which ends on \_\_\_\_\_ . (Crystal—would you please let me know what that date is?)

Thanks,  
 Joan

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**From:** Sura, Crystal  
**Sent:** Wednesday, June 08, 2011 3:18 PM  
**To:** Johnson, Joan  
**Cc:** Arkenberg, Christine; Weber, Michael; Sura, Crystal

6/15/2011

**Sura, Crystal**

**From:** Arkenberg, Christine  
**Sent:** Wednesday, June 08, 2011 3:49 PM  
**To:** Johnson, Joan; Sura, Crystal; Weber, Michael; Lauber, Dawn  
**Subject:** RE: Mary Fertl Rust

As Mary didn't state any specific reason for cancelling the appointment in her phone call, other than that she didn't want to waste anyone's time, there was no expectation of rescheduling the appointment. She was resigned to the ban then and I think that the library is justified in not rescheduling. The other points are really good too- there should be a few revisions.

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**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:40 PM  
**To:** Johnson, Joan; Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Subject:** RE: Mary Fertl Rust

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**Cc:** Johnson, Joan  
**Subject:** RE: Mary Fertl Rust

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Thanks,  
 Joan

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**From:** Sura, Crystal  
**Sent:** Wednesday, June 08, 2011 3:18 PM  
**To:** Johnson, Joan  
**Cc:** Arkenberg, Christine; Weber, Michael; Sura, Crystal  
**Subject:** Mary Fertl Rust

Mary Fertel Rust called June 8, 2011 3:00 p.m.  
 Mary explained that she thought she was going out of town for awhile and that is why she cancelled the ban appeal meeting scheduled for Monday June 6. She is staying in Milwaukee and therefore asked that she be allowed another ban appeal meeting. After a brief discussion with Joan, it was decided that Joan will review mpl policy and call Mary back and this was conveyed to Mary. Mary can be reached at Village Inn 344-7500 room 201. Mary said if she is not there to take the call, she will call MPL administration on Friday June 8.  
 She added that if an appeal meeting could be offered a letter can be sent to her at P.O. Box 1123, Milwaukee, WI 53201 (through July).

*Crystal Sura*  
*MPL Administrative Services*  
*(414) 286-3021*

6/15/2011

**Sura, Crystal**

**From:** Lauber, Dawn  
**Sent:** Wednesday, June 08, 2011 3:47 PM  
**To:** Johnson, Joan; Sura, Crystal; Arkenberg, Christine; Weber, Michael  
**Subject:** RE: Mary Fertl Rust  
 I support your decision.

---

**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:40 PM  
**To:** Johnson, Joan; Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Subject:** RE: Mary Fertl Rust

P.S.—I forgot to say that your thoughts, input, other suggestions are welcome. I won't try to call her until closer to 5 p.m. or tomorrow morning.

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**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:39 PM  
**To:** Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Cc:** Johnson, Joan  
**Subject:** RE: Mary Fertl Rust

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Thanks,  
 Joan

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**From:** Sura, Crystal  
**Sent:** Wednesday, June 08, 2011 3:18 PM  
**To:** Johnson, Joan  
**Cc:** Arkenberg, Christine; Weber, Michael; Sura, Crystal  
**Subject:** Mary Fertl Rust

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 Mary explained that she though she was going out of town for awhile and that is why she cancelled the ban appeal meeting scheduled for Monday June 6. She is staying in Milwaukee and therefore asked that she be allowed another ban appeal meeting. After a brief discussion with Joan, it was decided that Joan will review mpl policy and call Mary back and this was conveyed to Mary. Mary can be reached at Village Inn 344-7500 room 201. Mary said if she is not there to take the call, she will call MPL administration on Friday June 8. She added that if an appeal meeting could be offered a letter can be sent to her at P.O. Box 1123, Milwaukee, WI 53201 (through July).

*Crystal Sura*  
*MPL Administrative Services*  
*(414) 286-3021*

6/15/2011



## Hall, Panola

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**From:** Johnson, Joan  
**Sent:** Thursday, June 09, 2011 8:41 AM  
**To:** Hall, Panola  
**Subject:** FW: Mary Fertl Rust

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**From:** Sura, Crystal  
**Sent:** Wednesday, June 08, 2011 3:48 PM  
**To:** Johnson, Joan; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Subject:** RE: Mary Fertl Rust

Three month ban ends on August 10.

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**From:** Johnson, Joan  
**Sent:** Wednesday, June 08, 2011 3:39 PM  
**To:** Sura, Crystal; Arkenberg, Christine; Weber, Michael; Lauber, Dawn  
**Cc:** Johnson, Joan  
**Subject:** RE: Mary Fertl Rust

All,

I just reviewed the policy and unfortunately, nothing in it addresses what happens if an appeal hearing that has been scheduled is cancelled by the patron. We don't state either way that the patron also waives the right to any further consideration for an appeal. I think we need to revise the policy to this affect. At this point, her request is outside the 15 day time frame, and I'm likely to deny the request on that basis. Also, in reviewing the policy, I was reminded that all requests for appeals on bans longer than one month are to be in writing and "shall state the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed." I don't recall that she provided that information in her original request. I will call her to let her know that her request is denied because we are beyond the 15-day time frame and that she needs to honor her ban which ends on \_\_\_\_\_ . (Crystal—would you please let me know what that date is?)

Thanks,  
Joan

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**From:** Sura, Crystal  
**Sent:** Wednesday, June 08, 2011 3:18 PM  
**To:** Johnson, Joan  
**Cc:** Arkenberg, Christine; Weber, Michael; Sura, Crystal  
**Subject:** Mary Fertl Rust

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Mary explained that she though she was going out of town for awhile and that is why she cancelled the ban appeal meeting scheduled for Monday June 6. She is staying in Milwaukee and therefore asked that she be allowed another ban appeal meeting. After a brief discussion with Joan, it was decided that Joan will review mpl policy and call Mary back and this was conveyed to Mary. Mary can be reached at Village Inn 344-7500 room 201. Mary said if she is not there to take the call, she will call MPL administration on Friday June 8. She added that if an appeal meeting could be offered a letter can be sent to her at P.O. Box 1123, Milwaukee, WI 53201 (through July).

*Crystal Sura*  
*MPL Administrative Services*  
*(414) 286-3021*

6/9/2011

**Subject:** Mary Fertl Rust

Mary Fertel Rust called June 8, 2011 3:00 p.m.

Mary explained that she thought she was going out of town for awhile and that is why she cancelled the ban appeal meeting scheduled for Monday June 6. She is staying in Milwaukee and therefore asked that she be allowed another ban appeal meeting.

After a brief discussion with Joan, it was decided that Joan will review mpl policy and call Mary back and this was conveyed to Mary. Mary can be reached at Village Inn 344-7500 room 201. Mary said if she is not there to take the call, she will call MPL administration on Friday June 8.

She added that if an appeal meeting could be offered a letter can be sent to her at P.O. Box 1123, Milwaukee, WI 53201 (through July).

*Crystal Sura*  
*MPL Administrative Services*  
*(414) 286-3021*

**From:** [Sura, Crystal](#)  
**To:** [Johnson, Joan](#); [Weber, Michael](#); [Lauber, Dawn](#)  
**Cc:** [Sura, Crystal](#)  
**Subject:** Ban Appeal Mary Fertel Rust June 2011  
**Date:** Tuesday, June 07, 2011 10:38:05 AM

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A received a message forwarded to me from Personnel – recorded on Sunday 6/5/11 10:21 p.m.  
from Mary Fertel Rust 344-7503, regarding her ban appeal scheduled for Monday, June 06, 2011 10:00 AM-10:30 AM – she stated ‘that after thinking it over, I don’t think I will be coming in. I’m not going to waste your time, I’m not going to do anything about the ban until the middle of August.’

I have updated the log noting that the appeal meeting was canceled by the patron.

*Crystal Sura*  
*MPL Administrative Services*  
*(414) 286-3021*



MILWAUKEE  
PUBLIC LIBRARY

*Central Library*

May 24, 2011

Ms. Mary Fertel Rust  
PO Box 1123  
Milwaukee, WI 53201

Dear Ms. Fertel Rust:

I received a letter from you today requesting an in-person ban appeal meeting be scheduled. Your letter was in response to a letter sent to you from Ms. Arkenberg, dated May 11, 2011, banning you from the Milwaukee Public Library until August 10, 2011.

Your ban appeal meeting is scheduled with Library Deputy Director Joan Johnson, Public Services Area Manager Dawn Lauber and Security Manager Michael Weber on Monday June 6, 2011, 10:00 A.M. Central Library's Customer Service Room. Please meet at the library's Wisconsin Avenue checkout desk..

The Library Security Manager will have a total of five minutes to present for the library. You will have an equal amount of time to respond.

If you have questions regarding this matter, please call the Library Security Manager at 286-8719.

Sincerely,

Crystal Sura  
Administrative Assistant

C: Michael Weber, Library Security Manager  
Joan Johnson, Deputy Director  
Chris Arkenberg, Public Services Area Manager



MILWAUKEE  
PUBLIC LIBRARY

**COPY**

May 11, 2011

Mary Fertel-Rust  
PO Box 1123  
Milwaukee, WI. 53201

*Current + correct address*

Dear Ms. Fertel-Rust:

The Milwaukee Public Library strives to offer its customers an atmosphere which is conducive to reading, learning and gathering information. Enclosed is the Milwaukee Public Library Board of Trustees Code of Conduct Policy for your review. Your behavior at the Central Library was in violation of the Code of Conduct Policy.

On May 10, 2011 your disruptive behavior created a disturbance for everyone who was in the MPL Bookseller and for those who were waiting in the rotunda of the Central Library. You were extremely loud while pounding your fists and demanding service. You accused an MPL volunteer of selling a defective book to you and of having sexual relations with the female volunteer. You continued to yell profanities at staff and volunteers. This type of activity will not be tolerated.

You have been warned that if this type of behavior continues, you would be banned for a longer period of time. We will not allow this type of inappropriate behavior in the library.

Because of your actions, you may not enter any Milwaukee Public Library or its grounds for 3 months from the date of this latest incident, until August 10, 2011. If this type of activity continues, you will be facing progressively longer bans. Any entry onto Milwaukee Public Library property before then will be considered trespassing, and the police will be called.

If you have questions regarding this matter, please call the Library Security Manager at 286-8719.

Bans of 3 months or less may be appealed. The request for an appeal before the Deputy Director must be made by phone and cannot be done on the same day as the ban was issued. The phone number to call to schedule an appeal is 286-3000.

Sincerely,

Christine Arkenberg  
Public Services Area Manager

C: Michael Weber, Library Security Manager

Enc: Code of Conduct Policy, Milwaukee Public Libraries



MILWAUKEE  
PUBLIC LIBRARY

COPY

May 11, 2011

Mary Fertel-Rust  
PO Box 958  
Milwaukee, WI. 53201

Dear Ms. Fertel-Rust:

The Milwaukee Public Library strives to offer its customers an atmosphere which is conducive to reading, learning and gathering information. Enclosed is the Milwaukee Public Library Board of Trustees Code of Conduct Policy for your review. Your behavior at the Central Library was in violation of the Code of Conduct Policy.

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Sincerely,

Christine Arkenberg  
Public Services Area Manager

C: Michael Weber, Library Security Manager

Enc: Code of Conduct Policy, Milwaukee Public Libraries