



Attorneys At Law

Joel L. Aberg\*  
John Robert Behling  
Tanya M. Bruder  
Mindy K. Dale  
Richard D. Duplessie  
Christine A. Gimber  
Thomas J. Graham, Jr.  
Anders B. Helquist  
Melissa A. Kirschner\*  
M. Laurie Klinkhammer\*  
Donald R. Marjala  
William S. Milne  
Thomas J. Misfeldt  
G. Scott Nicasastro  
Brian M. Nodolf  
Michael F. O'Brien  
Jack A. Postlewaite  
Kathryn J. Prenz  
Thomas B. Rusboldt  
Ryan D. Schuetz  
Victoria L. Seltun\*  
William J. Spangler  
Ryan J. Steffes  
William H. Thedinga  
William G. Thiel  
Jacob P. Torgerson  
Andrea M. Voelker  
James M. Ward  
Paul H. Weinke  
Stephen L. Weld  
William J. Westerlund

Of Counsel:  
Frederick W. (Ted) Fischer  
Thomas J. Szama

Emeritus:  
Geo. Michael Carroll  
Richard J. Ricci

Stevens L. Riley, 1932-2000

Weld, Riley,  
Prenz & Ricci, S.C.

A Wisconsin Limited  
Liability Entity

3624 Oakwood Hills Pkwy.  
P.O. Box 1030  
Eau Claire, WI 54702-1030  
715-839-7786  
FAX 715-839-8609  
Menomonie: 715-235-4216

www.wrpr.com

\*Also licensed to practice  
in Minnesota

October 16, 2009

Catherine R. Munkittrick  
219 North Main Street  
P.O. Box 138  
River Falls, WI 54022-0138

**RE: Open Records Request/Kraemer Mining & Materials**

Dear Ms. Munkittrick:

The purpose of this letter is to respond to your correspondence of October 12, 2009. Per your suggestion, I went to the website for the Town of Osceola on the very day in which our office received your correspondence (October 15, 2009). Please know I did not see any documents related to emails, text messages, or many of the other documents which we requested in our formal open records request.

Therefore, please know your office is welcome to review the documents which, as of October 15, 2009, appear on the Town of Osceola website and your client is not required to provide a copy of those to our office. Otherwise, please know our open records request dated October 6, 2009, stands as requested, and we fully anticipate you will direct your client to comply with Wisconsin's stringent open records laws.

I also wanted to briefly address the issues you raise in regard to the Town Chair and the Town Clerk being unavailable to respond to our request. Please know that Kraemer Mining & Materials has reason to believe they have not been treated fairly by select Town officials. Therefore, we are hopeful that you explain to your clients that they are required to respond per the requirements referenced not only in state statute, but also discussed in Wisconsin's open records manual drafted by Attorney General J.B. Van Hollen. Kraemer Mining & Materials has a right to see the documents we have requested and to make sure that government business is being conducted in an open-door manner.

I did want to mention that I have provided a copy of this document to the Town Clerk. Although I fully recognize the rules regarding direct communications with clients who are represented, the Town Clerk is the formal custodian set-forth by state statute in regard to open request matters. Therefore, since you have asked us to refine our open records request, our office is compelled to make sure that this

Catherine R. Munkittrick  
October 16, 2009  
Page 2

document is filed with the Clerk in conjunction with your request and our pending correspondence of October 6, 2009.

Finally, please know we certainly agree you have the right to charge \$.25 per copy for fees as well as a location fee if our request exceeds \$50.00. The location fee which may be charged can be done at the hourly rate of the lowest paid person who is able to process a request. If the Township is exercising their right to demand prepayment, please just let us know the cost and we will remit immediate and prompt payment.

We thank you for your correspondence, and will await any prepayment request.

Very truly yours,

**WELD, RILEY, PRENN & RICCI, S.C.**



John Robert Behling

JRB/aal

cc: Kris Anderson, Kramer Mining & Materials  
Lorraine Rugroden, Town Clerk

F:\docs\Client H-K\Kraemer Mining & Materials\Munkittrick ltr.wpd