

Hello Lynn,

“Not a confirmation the your statement” - is not the Queen’s English. In fact, it is not English at all, it is a non-sensical statement. As a lawyer, you should know better, I expect more from you.

By not stating which statements (A or B) were not both factual and correct and then not correcting the statements in a language the average middle school student can understand — your reply of Feb. 8th was in fact a confirmation that both A and B are both factual and correct. Perhaps if your command of the English language was improved, you would understand this fact.

Your reluctance to do what is right by the citizens of Gaithersburg is duly noted.

It is a shame that one cannot ask a simple question and get a simple answer from city government.

AARON ROSENZWEIG / Chat 'n Bike
e: aaron@chatnbike.com t: (301) 956-2319



On Feb 10, 2016, at 10:41 AM, Lynn Board <LBoard@gaitthersburgmd.gov> wrote:
Mr. Rosenzweig:

I want to make it clear that my email of February 8, 2016 was not a confirmation the your statement in a) and b) in your email of February 5, 2016 are factual and correct.

Lynn

N. Lynn Board,
Gaithersburg City Attorney
31 S. Summit Avenue
Gaithersburg, MD 20877
(301) 258-6310
lboard@gaitthersburgmd.gov

From: Aaron Rosenzweig [<mailto:recurve@cocoanutstech.com>] **On Behalf Of** Aaron Rosenzweig
Sent: Tuesday, February 09, 2016 4:08 PM
To: Lynn Board
Cc: Ryan Spiegel - External; Tony Tomasello; Robert Wu; Lauren Klingler; Ryan Spiegel
Subject: Re: Request for Public Information

Hi Lynn,

Thank you for confirming that both points A and B are factual and correct.

The point of local government is to do better than what the state and county can do.

Not recording, not knowing the depths at which city services are abused is a big problem. Saying that you are not “required” to know is a weak argument.

AARON ROSENZWEIG / Chat 'n Bike
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On Feb 8, 2016, at 12:33 PM, Lynn Board
<LBoard@gaitthersburgmd.gov> wrote:

Mr. Rosenzweig:

I am sorry that you disagree with the method by which the City reports dog bites, but we follow the requirements established by state law.

Lynn

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From: Aaron Rosenzweig [<mailto:recurve@cocoanutstech.com>] **On Behalf**

Of Aaron Rosenzweig

Sent: Friday, February 05, 2016 10:38 AM

To: Lynn Board

Cc: Ryan Spiegel - External; Tony Tomasello; Robert Wu; Lauren Klingler; Ryan Spiegel

Subject: Re: Request for Public Information

Hi Lynn, Ryan, council and staff,

Without clearly defining the dog bite information - saying 100% of dog bites reported are “founded” has no meaning.

Please select which of the following statements is not both factual and correct:

a) Only cases where a clear dog bite on a human can be determined are reported, therefore 100% of the city’s reported dog bites are “founded.” Any case where a clear dog bite can not be determined, the report is not completed, so the report is not recorded by the city and therefore the city cannot report on that information. The city has no records on how many times fictitious dog bites occur.

b) Ryan Spiegel never had a dog that bit someone between the years 2010 - 2015 or it was not validated that his dog bit someone so it was not reported in city records.

For any of the above statements which you do not deem to be factual and correct please correct the statement in a language the average middle school student can understand. As residents of this city, we deserve to know this information and to call on local leaders to end habitual harassment using city resources.

Ryan - I am sorry your dog was taken from you. If what you told me was factual and correct about your situation, then in light of what Lynn has just sent me, Animal Control had no right to force the removal of your dog. You had the right to keep the dog indoors and to walk the dog outdoors on a leash during the quarantine period. You did not have to surrender your dog to people strange to your pet. I'm truly sorry this happened to you. Please help STOP this type of abuse to future and current citizens.

Tony - at the face of it, the way the city is reporting dog bite statistics, I don't know why Lisa Holland told me it's common for Animal Control to be used as a tool for harassment. You should find your own answer, if you truly care about our community.

Thank you,

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On Feb 5, 2016, at 9:38 AM, Lynn Board
<LBoard@gaithersburgmd.gov> wrote:

Mr. Rosenzweig:

In response to your questions, state law controls how animal bite cases are reported. The Code of Maryland Regulations (COMAR) Section 10.06.02.05 requires that for each animal bite incident, animal control personnel shall "Complete the Maryland Animal Bite Report and Rabies Quarantine Agreement Form supplied by the Department, or an equivalent form developed by the local health department." City of Gaithersburg Animal Control personnel use the form developed by the Montgomery County Health Department and a Maryland Animal Bite Report is completed for each instance when a dog bite (or other animal bite) is reported. I've attached these forms for your reference. Prior to completing an Animal Bite Report, the practice of the City's Animal Control Officers is to verify that a bite has occurred by either (1) personally observing a break in the skin or scratch on the victim, (2) obtaining medical records from the victim verifying the bite or scratch, or (3) the owner of the animal's admission that their animal bite or scratched the victim. Within the time period of your request, Animal Control reports that there has not been situation where they have not been able to verify the bite or scratch.

Lynn

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From: Aaron Rosenzweig [<mailto:recurve@cocoanutstech.com>] **On Behalf**

Of Aaron Rosenzweig

Sent: Thursday, February 04, 2016 3:06 PM

To: Lynn Board

Cc: Ryan Spiegel; Tony Tomasello; Robert Wu; Lauren Klingler

Subject: Re: Request for Public Information

Thank you Lynn,

Can the city answer these questions:

- 1) How does a “dog vs human” bite complaint become deemed to be “founded.” What is the protocol?
- 2) If a “dog vs human” bite complaint is requested by a citizen, but after investigation it cannot be substantiated, how does that report get filed? Does it get filed?
- 3) Is it simply a matter of protocol to label every single “dog vs human” bite complaint as “founded” ?

Thank you,

AARON ROSENZWEIG / Chat 'n Bike
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On Feb 4, 2016, at 1:15 PM, Lynn Board
<LBoard@gaitthersburgmd.gov> wrote:

Mr. Rosenzweig:

You are correct that the total amount is \$236.12. If you drop the check off in person please ask for Lauren Klingler and she will provide you with a receipt.

With regard to your other question, I am not privy to any conversations you may have had with either Mr. Spiegel or Ms. Holland and the purpose of a Public Information Act request is to provide documents maintained by the local government not to respond to questions, so I am unable to respond.

Lynn

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From: Aaron Rosenzweig [<mailto:recurve@cocoanutstech.com>] **On Behalf**
Of Aaron Rosenzweig
Sent: Thursday, February 04, 2016 9:57 AM
To: Lynn Board
Cc: Ryan Spiegel; Tony Tomasello; Robert Wu
Subject: Re: Request for Public Information

Hi Lynn,

Please answer the following:

- 1) For \$226.12 + \$10.00 (total: \$236.12 USD) you will email me all the documents labelled “available for inspection” - is this correct?
- 2) Can you answer the inconsistencies reported in the “dog bite” statistics (dog biting human)? Are they all “founded” simply because you wait to determine if they are fraudulent and only log the “founded”

claims? Please answer who is not telling the truth:

- a) City reporting
- b) Ryan Spiegel
- c) Lisa Holland

3) If I drop off the check in person - whom do I ask to speak with, will I get a receipt?

Thank you,

AARON ROSENZWEIG / Chat 'n Bike
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On Feb 4, 2016, at 9:13 AM, Lynn Board
<LBoard@gaitthersburgmd.gov> wrote:

Mr. Rosenzweig:

The documents referenced in the letter of February 3, 2016 that are available for inspection related to the costs and expenses for the Book Festival will be provided once payment is received. As stated in the letter, please let us know by what method you wish to receive these documents – by email or by mail. The check should be made payable to the City of Gaithersburg and may be mailed or dropped off in person to City Hall, 31 S. Summit Avenue, Gaithersburg, Maryland 20877.

Lynn

N. Lynn Board,
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lboard@gaithersburgmd.gov

From: Aaron Rosenzweig [<mailto:recurve@cocoanutstech.com>] **On Behalf Of** Aaron Rosenzweig
Sent: Thursday, February 04, 2016 12:17 AM
To: Lynn Board
Cc: Ryan Spiegel; Tony Tomasello; Robert Wu
Subject: Re: Request for Public Information

Hi Lynn, Ryan, Tony and Robert (because he should know too)

The city says every single dog bite complaint is “founded” - that means “legitimate.” This is troubling for two reasons:

1) Council Member Ryan Spiegel’s dog was reported as biting someone but Ryan told me it is a little tiny dog and never bit anyone. Still, he gave up his dog to spend a few days under Animal Control’s care to “watch for aggressive behavior.” So at least one dog bite complaint was unfounded. You cannot say they all were founded. Somebody has their facts wrong.

2) The Director of Animal Control, Lisa Holland, told Aaron Rosenzweig they often investigate fraudulent dog bite complaints where people are fighting over a parking lot so they use her department to harass their neighbor. She told me it happens all the time. Was she not telling the truth? Was she exaggerating? Or is the city's reporting flawed?

Lastly, the city didn’t really provide any answers regarding costs, not

even a net profit / loss for the book festival. It seems a little silly to pay roughly \$230 for this info... especially when "Kentlands Day" provided all this and more info to you when you asked. Your behavior is inconsistent. You ask for more than you give.

Where, when, and to whom do you want me to make out the check?

Note: I have updated the "Fix Our Community" tab of: <http://www.teamgaithersburg.org>

AARON ROSENZWEIG / Chat 'n Bike
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On Feb 3, 2016, at 5:24 PM, Lynn Board
<LBoard@gaitthersburgmd.gov> wrote:

Mr. Rosenzweig:

Attached please find a letter in response to your request for public information.

Lynn

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<Rosenzweig - MPIA Request - 02302016.pdf>

<Animal Bite Report.pdf><Notice of Animal Quarantine.pdf>