

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

\* \* \* \* \*

BRANDY SUCKLEY, REANNAN	)	
SUCKLEY, JYL ALBERTSON,	)	
MATHEW BAUMSTARK,	)	
DANIKA OWAN, LYNETTE	)	
COLE-PEREA, MANUEL	)	Case No.
PEREA, and EMILY HOLLY,	)	21-cv-00012-CRH
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
THE CITY OF WILLISTON,	)	
NORTH DAKOTA,	)	
	)	
Defendant.	)	
	)	

\* \* \* \* \*

DEPOSITION OF HOWARD KLUG

taken by Mr. V. Gene Summerlin, Attorney At Law,  
pursuant to notice and pursuant to the Federal  
Rules of Civil Procedure, before Lori L. Hauge, a  
Notary Public in and for the County of Williams and  
State of North Dakota, at the Second Floor  
Conference Room of Williston City Hall, 22 East  
Broadway, Williston, North Dakota, on Tuesday,  
May 17, 2022, commencing at 12:21 p.m.

\* \* \* \* \*

\*Appearances as noted herein.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

MR. V. GENE SUMMERLIN, Attorney At Law,  
and MS. AMANDA L. WALL, Attorney At Law, of Husch  
Blackwell LLP, 13330 California Street, Suite 200,  
Omaha, Nebraska, appeared as counsel for and on  
behalf of the Plaintiffs.

MR. BRIAN D. SCHMIDT, Attorney At Law, of  
Smith Porsborg Schweigert Armstrong Moldenhauer &  
Smith, 122 East Broadway Avenue, P.O. Box 460,  
Bismarck, North Dakota, appeared as counsel for and  
on behalf of the Defendant.

ALSO APPEARING: MR. HOWARD KLUG,  
Deponent.

T A B L E O F C O N T E N T S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOWARD KLUG

Examination by Mr. Summerlin ..... Page 4

Certificate of Deponent ..... Page 20

Certificate of Court Reporter ..... Page 21

1 (The proceedings commenced at 12:21 p.m.)

2 Whereupon,

3 HOWARD KLUG,

4 called as a witness by the plaintiffs, after having  
5 been first duly sworn, was examined and testified  
6 as follows:

7 EXAMINATION

8 BY MR. SUMMERLIN:

9 Q. Would you please state your name.

10 A. Howard Klug.

11 Q. And, Mr. Klug, you are the current mayor  
12 of Williston?

13 A. President of the city council but known as  
14 "mayor." Sure.

15 Q. Okay. So -- and that was going to be my  
16 first set of questions. Are you also -- you're on  
17 the city commission?

18 A. That's correct.

19 Q. And so when you talk about "city council,"  
20 you're talking about the city commissioners?

21 A. That's correct.

22 Q. All right. How long have you been  
23 mayor --

24 A. Eight years.

25 Q. -- president?

1 A. Eight years.

2 Q. All right. How long have you been on the  
3 city commission?

4 A. An additional six years.

5 Q. Okay. During the time that you've been a  
6 member of the city commissioners, in 2019, there  
7 was a change to the pit bull ordinance. Do you  
8 recall that?

9 A. Yes.

10 Q. And that just related to providing an  
11 exception for service dogs?

12 A. That's correct.

13 Q. Okay. In your tenure on the city  
14 commission, is that the only time you have  
15 addressed, legislatively, the pit bull ordinance in  
16 Williston?

17 A. Yes.

18 Q. Okay. Do you know why the pit bull  
19 ordinance was initially adopted?

20 A. No.

21 Q. Okay. Have -- let me kind of create a  
22 little excerpt for this question. Other than any  
23 discussions you may have had with other city  
24 commissioners when Brian was present, have you had  
25 any discussions with other city commissioners about

1 the purpose of the pit bull ordinance?

2 A. No.

3 Q. Okay. In your role as a city commissioner  
4 or as the mayor, are you involved in training of  
5 police officers or animal control officers?

6 A. No.

7 Q. Okay. Are you involved in how the pit  
8 bull ordinance in Williston is enforced?

9 A. No.

10 Q. Okay. Have you had any discussions among  
11 the city commission about enforcement of the  
12 ordinance? Again, other than discussions that may  
13 have occurred in executive session with counsel  
14 present.

15 A. No.

16 Q. Okay. How many members are on the city  
17 commission?

18 A. Five.

19 Q. Five.

20 What's the term of office for --

21 A. Four years.

22 Q. Four years.

23 Are those staggered among different --

24 A. Yes, they are.

25 Q. Okay. How often does the commission meet?

1 A. Twice a month.

2 Q. And we deposed the city administrator  
3 earlier today. My understanding is the -- the city  
4 commissioners are responsible for adopting  
5 ordinances and adopting the budget for Williston?

6 A. That's correct.

7 Q. Okay. Are there any other duties that the  
8 City's involved in -- the commissioners are  
9 involved in?

10 A. Other than ceremonial, no.

11 Q. Okay.

12 MR. SCHMIDT: And, I guess, just to be --  
13 for some clarification, when you're saying  
14 "adopting ordinances," are you talk -- and  
15 "managing budgets," are you talking about just,  
16 like, passing motions and things like that --

17 MR. SUMMERLIN: Yes.

18 MR. SCHMIDT: -- and just general forms of  
19 regular government? Because I know --

20 MR. SUMMERLIN: Yes.

21 MR. SCHMIDT: -- ordinances are different  
22 than resolutions in some situations and things like  
23 that --

24 MR. SUMMERLIN: Yeah, that's --

25 MR. SCHMIDT: -- so --

1 MR. SUMMERLIN: -- that's a good point.

2 BY MR. SUMMERLIN:

3 Q. So you may -- the -- the commission may  
4 adopt ordinances and other things beyond simply --  
5 or may adopt resolutions beyond simply adopting  
6 ordinances?

7 A. That's correct.

8 Q. Okay. With respect to the pit bull  
9 ordinance in Williston, other than the amendment in  
10 2019 to allow for a service dog exception, has that  
11 ordinance been discussed by the city commission,  
12 again, other than as part of this lawsuit as well,  
13 during your tenure on the commission?

14 A. The ordinance, no.

15 Q. Okay. Have you had discussions among the  
16 city commission or the public regarding the  
17 ordinance? Not just adopting it or amending it.

18 A. We did have an individual that came and  
19 presented to the city commission.

20 Q. Okay. And tell me about that.

21 A. She came and requested to be on the agenda  
22 to talk about pit bulls and the pit bull ordinance,  
23 and it was allowed, and we listened. We thanked  
24 her for her time, and we did not do anything after  
25 that.



1 Q. Okay. Was there discussion among the  
2 commissioners as to whether or not anything should  
3 be done after that presentation?

4 A. No.

5 Q. Okay. So it was just simply someone came,  
6 made a presentation, and then you just moved on to  
7 the next item of business?

8 A. It was -- yeah, I think it was the last  
9 item of business during that day, so we just  
10 adjourned.

11 Q. Okay. So other than defending the  
12 ordinance and -- and this challenge, as the mayor  
13 of -- or as the president of the city commission,  
14 do you have an opinion on the ordinance itself?

15 A. Yes.

16 Q. Okay. What is your opinion?

17 A. My opinion is that it's in place to keep  
18 the citizens of Williston safe.

19 Q. Okay. How does the ordinance accomplish  
20 that goal of keeping people safe?

21 A. By not having an animal that will do  
22 damage in the city of Williston, specifically a pit  
23 bull. I don't have to be scared of that animal.

24 Q. So do you believe that pit bulls are more  
25 dangerous than other similarly sized breeds of

1 dogs?

2 A. Yes.

3 Q. Okay. And what is that belief based on?

4 A. Just my opinion.

5 Q. Okay. I mean, is -- is there anything  
6 that you've read or heard that causes you to think  
7 that?

8 A. Other than the one incident in the city of  
9 Williston when pit bulls attacked young children  
10 and a nanny.

11 Q. Okay. And that was -- was that at a  
12 schoolyard?

13 A. Yes, it was.

14 Q. Okay. When was that, approximately?

15 A. About three years ago.

16 Q. Okay. So other than that incident, is  
17 there anything else that you rely on to think that  
18 pit bulls are more dangerous than -- than other  
19 similarly sized breeds?

20 A. No.

21 Q. Okay. For the dog that was involved in  
22 that incident three years ago, do you know how the  
23 breed of that dog was determined?

24 A. There were multiple dogs.

25 Q. Okay. How many dogs were involved?

1 A. I believe that there was three.

2 Q. Okay. Were they all owned by the same  
3 person?

4 A. I believe so.

5 Q. Okay. Were they all pit bulls, as far as  
6 you can tell?

7 A. I think that was what it was determined.

8 Q. Okay. Do you know how it was determined  
9 that they were pit bulls?

10 A. Whatever measures the City of Williston  
11 has in place.

12 Q. Okay. So someone from the City made that  
13 decision?

14 A. I believe so.

15 Q. Okay. And -- and you may not know this,  
16 but do you know whether those dogs were  
17 DNA-tested --

18 A. I do not --

19 Q. -- for breed?

20 A. I do not know that.

21 Q. Okay. Do you know the sex of the dogs  
22 that were involved?

23 A. I believe that there was a mother dog  
24 involved, so --

25 Q. Okay.

1           A.     -- that's the only thing that I know.  
2     That in some -- that in a report, there was a  
3     mother dog involved, and that's all I know.

4           Q.     Okay. Do you know who the owner was?

5           A.     No.

6           Q.     Okay. Do you know how the dogs were kept?  
7     And -- and by that, I mean, like, whether these  
8     were dogs that were in a house or kept outside of a  
9     house?

10          A.     No.

11          Q.     Okay. Have I pretty much exhausted  
12     your -- your knowledge of the facts regarding  
13     the -- the dogs themselves and the owner?

14          A.     That's correct.

15          Q.     Okay. My understanding is that the pit  
16     bull ordinance in Williston was initially adopted  
17     in 1987. Do you have any knowledge of why the City  
18     adopted the ban at that time?

19          A.     From what I've read, the police chief and  
20     the sheriff at the time specifically were against  
21     pit bulls, and the commission looked at it, and  
22     they adopted the ordinance.

23          Q.     And you say from what you've read.  
24     What -- what did you read that --

25          A.     Past minutes of the city commission.

1 Q. Okay. Do you know or recall who the  
2 police chief and the sheriff were in 1987?

3 A. Stan Lyson was the sheriff, and Ray Atol  
4 was the police chief.

5 Q. What was the police chief -- police  
6 chief's name again?

7 A. Ray Atol, A-t-o-l.

8 Q. Are those gentlemen still around?

9 A. No. Ray's -- Ray's not here.

10 I believe Stan Lyson is in Bethel Home,  
11 but he's got Alzheimer's.

12 Q. Yeah. Okay.

13 From what you read, was there -- was there  
14 any event or anything that caused the police chief  
15 and the sheriff to -- to bring this event -- or to  
16 bring the ordinance before the city council -- or  
17 the city commissioners? Sorry.

18 A. I believe that the -- I did read where the  
19 sheriff made mention of an incident with pit bulls.

20 Q. Do you recall any other details about  
21 that?

22 A. No.

23 Q. Okay. So other than what we've discussed  
24 so far, is there anything else that causes you to  
25 think that pit bulls are more dangerous than other

1 similarly sized dogs?

2 A. No. It's my opinion.

3 Q. Okay. Who in Williston is responsible for  
4 enforcing the pit bull ban?

5 A. The commissioners are ultimately given the  
6 task to approve or not to approve ordinances, and  
7 from that point on, it goes to the proper law  
8 enforcement -- whatever ordinance it is goes to the  
9 proper agency. In this case, it would be the  
10 Williston Police Department.

11 Q. Okay. And so the -- once the ordinance  
12 has -- has been adopted, then enforcement and how  
13 it's going to be enforced and all those things are  
14 not the role of the mayor -- or the president of  
15 the city commissioners or the city commission  
16 itself?

17 A. That's correct.

18 Q. Okay. Are you aware of whether the City  
19 currently offers DNA testing for dogs that are  
20 alleged to be subject to the ban?

21 A. No.

22 Q. And that's not something that the city  
23 commissioners, to your recollection, have ever  
24 discussed?

25 A. No.

1 Q. You talked about a situation in which a --  
2 a resident of Williston came to a city commission  
3 meeting to -- to talk about the pit bull ban and, I  
4 think, make a presentation?

5 A. Yes.

6 Q. Was that person asked -- was that person's  
7 presentation critical of the ban?

8 A. I believe it was.

9 Q. Okay. Have you ever received information  
10 from people that were arguing in support of the  
11 ban?

12 A. Yes.

13 Q. Okay. Tell me about that.

14 A. Just -- just in general, and that's in  
15 passing, I have people that -- that have told me  
16 that they're in favor of the ban, and I just -- a  
17 few days ago, I did get a text message from an  
18 individual that supported the ban.

19 Q. Okay. Those are just kind of people  
20 talking to you as, you know, you're a  
21 representative of the city government and saying,  
22 "Hey, I'm" -- "I'm in favor of this"?

23 A. That's the way I do things. Yes.

24 Q. Okay. Has anyone provided you with any,  
25 like, data or scientific information saying, "Oh.

1 This is why" -- "This is why we should have the  
2 ban"?

3 A. No.

4 Q. Okay.

5 (There was a discussion off the record  
6 between Mr. Summerlin and Ms. Wall.)

7 MR. SUMMERLIN: Give us a minute.

8 MR. SCHMIDT: Okay.

9 (The proceedings recessed at 12:40 p.m. and  
10 reconvened with everyone present at 12:45 p.m.)

11 MR. SUMMERLIN: Okay. Just a few more  
12 follow-up questions.

13 THE DEPONENT: Okay.

14 BY MR. SUMMERLIN:

15 Q. Do you have personal experience with pit  
16 bulls?

17 A. Do I have personal -- yes.

18 Q. Okay. Tell me about that.

19 A. I have a -- I have a stepson that had a  
20 pit bull.

21 Q. Okay. Anything unusual about that dog?

22 A. Other than I didn't like it, no.

23 Q. Why didn't you like it?

24 A. Because of my opinion of pit bulls.

25 Q. Okay. Did the dog ever do anything that



1 caused you to think he was aggressive?

2 A. No.

3 Q. Okay. Is your stepson here in --

4 A. No.

5 Q. -- around Williston?

6 A. No.

7 Q. No? Okay.

8 Does your stepson have any children?

9 A. Yes.

10 Q. Okay. Does the dog live with your stepson  
11 and the children?

12 A. It did. Not now.

13 Q. Okay. Where is the dog now?

14 A. I don't know the answer to that.

15 Q. Okay.

16 A. That --

17 Q. Did they -- did they decide -- did your  
18 stepson decide to get rid of the dog, or was it --

19 A. No. Let me -- let me tell you what  
20 happened.

21 Q. Okay.

22 A. Okay. My son -- my stepson was in the --  
23 the service. He was married -- he is married. And  
24 when he got out of the service, they decided to  
25 transfer to South Korea, and that's what caused the

1 pit bull and another dog to go away. They --

2 Q. Okay.

3 A. -- adopted them out or -- or gave them  
4 away or whatever -- whatever happened, and I don't  
5 believe -- I don't know if they got -- if he got  
6 the dog back or not.

7 Q. Okay. So we've kind of talked about  
8 your -- your opinion about pit bull dogs  
9 themselves.

10 Have you expressed opinions about the  
11 kinds of people that own pit bulls?

12 A. No.

13 Q. Okay. Have you done radio or other media  
14 interviews about pit bulls?

15 A. Not that I can recall.

16 Q. Okay. Have you made other public  
17 statements, outside of -- well, I don't think  
18 you've necessarily said that you've made any public  
19 statements regarding pit bulls or the pit bull ban  
20 in public commission meetings. Right?

21 A. That's correct.

22 Q. Okay. Have you made -- outside of  
23 commission meetings, have you made any public  
24 statements regarding Williston's pit bull ban or  
25 pit bulls themselves?

1           A.     No.

2                   MR. SUMMERLIN:   Okay.   I think that is all  
3 that we have.

4                   THE DEPONENT:   Okay.

5                   MR. SUMMERLIN:   Thank you very much for  
6 your time.

7                   THE DEPONENT:   Thank you.

8                   MR. SCHMIDT:   And we'll read and sign.

9                           (The proceedings concluded at 12:48 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF DEPONENT

I, Howard Klug, the deponent in the foregoing deposition, certify that I have read the attached 19 typewritten pages of my deposition upon oral examination, taken at the time and place indicated, and that it is a complete and accurate transcript of my deposition, with corrections, if any, noted herein along with the reason for each correction.

Dated at Williston, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
HOWARD KLUG

\* \* \* \* \*

PAGE: REASON:  
LINE:  
CHANGE:

PAGE: REASON:  
LINE:  
CHANGE:

PAGE: REASON:  
LINE:  
CHANGE:

PAGE: REASON:  
LINE:  
CHANGE:

<p style="text-align: center;"><b>1</b></p> <p><b>122</b> [1] - 2:15  <b>12:21</b> [2] - 1:22, 4:1  <b>12:40</b> [1] - 16:9  <b>12:45</b> [1] - 16:10  <b>12:48</b> [1] - 19:9  <b>13330</b> [1] - 2:9  <b>17</b> [1] - 1:22  <b>19</b> [1] - 20:4  <b>1987</b> [2] - 12:17, 13:2</p>	<p><b>amendment</b> [1] - 8:9  <b>animal</b> [3] - 6:5, 9:21, 9:23  <b>answer</b> [1] - 17:14  <b>Appearances</b> [1] - 1:24  <b>appeared</b> [2] - 2:10, 2:16  <b>APPEARING</b> [1] - 2:19  <b>approve</b> [2] - 14:6  <b>arguing</b> [1] - 15:10  <b>Armstrong</b> [1] - 2:14  <b>Atol</b> [2] - 13:3, 13:7  <b>attached</b> [1] - 20:3  <b>attacked</b> [1] - 10:9  <b>Attorney</b> [4] - 1:15, 2:7, 2:8, 2:13  <b>Avenue</b> [1] - 2:15  <b>aware</b> [1] - 14:18</p>	<p>9:24, 10:9, 10:18, 11:5, 11:9, 12:21, 13:19, 13:25, 16:16, 16:24, 18:11, 18:14, 18:19, 18:25  <b>business</b> [2] - 9:7, 9:9  <b>BY</b> [3] - 4:8, 8:2, 16:14</p>	<p>8:13, 8:16, 8:19, 9:13, 12:21, 12:25, 14:15, 15:2, 18:20, 18:23  <b>commissioner</b> [1] - 6:3  <b>commissioners</b> [11] - 4:20, 5:6, 5:24, 5:25, 7:4, 7:8, 9:2, 13:17, 14:5, 14:15, 14:23  <b>complete</b> [1] - 20:6  <b>concluded</b> [1] - 19:9  <b>Conference</b> [1] - 1:20  <b>control</b> [1] - 6:5  <b>correct</b> [8] - 4:18, 4:21, 5:12, 7:6, 8:7, 12:14, 14:17, 18:21  <b>correction</b> [1] - 20:8  <b>corrections</b> [1] - 20:7  <b>council</b> [3] - 4:13, 4:19, 13:16  <b>counsel</b> [3] - 2:10, 2:16, 6:13  <b>County</b> [1] - 1:18  <b>Court</b> [1] - 3:25  <b>COURT</b> [1] - 1:1  <b>create</b> [1] - 5:21  <b>critical</b> [1] - 15:7  <b>current</b> [1] - 4:11</p>	<p><b>DEPOSITION</b> [1] - 1:14  <b>deposition</b> [3] - 20:3, 20:4, 20:7  <b>details</b> [1] - 13:20  <b>determined</b> [3] - 10:23, 11:7, 11:8  <b>different</b> [2] - 6:23, 7:21  <b>discussed</b> [3] - 8:11, 13:23, 14:24  <b>discussion</b> [2] - 9:1, 16:5  <b>discussions</b> [5] - 5:23, 5:25, 6:10, 6:12, 8:15  <b>DISTRICT</b> [2] - 1:1, 1:2  <b>DNA</b> [2] - 11:17, 14:19  <b>DNA-tested</b> [1] - 11:17  <b>dog</b> [12] - 8:10, 10:21, 10:23, 11:23, 12:3, 16:21, 16:25, 17:10, 17:13, 17:18, 18:1, 18:6  <b>dogs</b> [12] - 5:11, 10:1, 10:24, 10:25, 11:16, 11:21, 12:6, 12:8, 12:13, 14:1, 14:19, 18:8  <b>done</b> [2] - 9:3, 18:13  <b>duly</b> [1] - 4:5  <b>during</b> [3] - 5:5, 8:13, 9:9  <b>duties</b> [1] - 7:7</p>
<p style="text-align: center;"><b>2</b></p> <p><b>20</b> [1] - 3:24  <b>200</b> [1] - 2:9  <b>2019</b> [2] - 5:6, 8:10  <b>2022</b> [2] - 1:22, 20:11  <b>21</b> [1] - 3:25  <b>21-cv-00012-CRH</b> [1] - 1:6  <b>22</b> [1] - 1:20</p>	<p style="text-align: center;"><b>B</b></p>	<p style="text-align: center;"><b>C</b></p> <p><b>California</b> [1] - 2:9  <b>case</b> [1] - 14:9  <b>Case</b> [1] - 1:6  <b>caused</b> [3] - 13:14, 17:1, 17:25  <b>causes</b> [2] - 10:6, 13:24  <b>ceremonial</b> [1] - 7:10  <b>Certificate</b> [2] - 3:24, 3:25  <b>CERTIFICATE</b> [1] - 20:1  <b>certify</b> [1] - 20:3  <b>challenge</b> [1] - 9:12  <b>change</b> [1] - 5:7  <b>CHANGE</b> [4] - 20:18, 20:20, 20:22, 20:24  <b>chief</b> [5] - 12:19, 13:2, 13:4, 13:5, 13:14  <b>chief's</b> [1] - 13:6  <b>children</b> [3] - 10:9, 17:8, 17:11  <b>citizens</b> [1] - 9:18  <b>city</b> [28] - 4:13, 4:17, 4:19, 4:20, 5:3, 5:6, 5:13, 5:23, 5:25, 6:3, 6:11, 6:16, 7:2, 7:3, 8:11, 8:16, 8:19, 9:13, 9:22, 10:8, 12:25, 13:16, 13:17, 14:15, 14:22, 15:2, 15:21  <b>CITY</b> [1] - 1:9  <b>City</b> [5] - 1:20, 11:10, 11:12, 12:17, 14:18  <b>City's</b> [1] - 7:8  <b>Civil</b> [1] - 1:17  <b>clarification</b> [1] - 7:13  <b>COLE</b> [1] - 1:6  <b>COLE-PEREA</b> [1] - 1:6  <b>commenced</b> [1] - 4:1  <b>commencing</b> [1] - 1:22  <b>commission</b> [18] - 4:17, 5:3, 5:14, 6:11, 6:17, 6:25, 8:3, 8:11,</p>	<p style="text-align: center;"><b>D</b></p> <p><b>DAKOTA</b> [2] - 1:2, 1:10  <b>Dakota</b> [4] - 1:19, 1:21, 2:16, 20:10  <b>damage</b> [1] - 9:22  <b>dangerous</b> [3] - 9:25, 10:18, 13:25  <b>DANIKA</b> [1] - 1:5  <b>data</b> [1] - 15:25  <b>Dated</b> [1] - 20:10  <b>days</b> [1] - 15:17  <b>decide</b> [2] - 17:17, 17:18  <b>decided</b> [1] - 17:24  <b>decision</b> [1] - 11:13  <b>Defendant</b> [2] - 1:11, 2:17  <b>defending</b> [1] - 9:11  <b>Department</b> [1] - 14:10  <b>deponent</b> [1] - 20:2  <b>DEPONENT</b> [4] - 16:13, 19:4, 19:7, 20:1  <b>Deponent</b> [2] - 2:20, 3:24  <b>deposed</b> [1] - 7:2</p>	<p><b>DEPOSITION</b> [1] - 1:14  <b>deposition</b> [3] - 20:3, 20:4, 20:7  <b>details</b> [1] - 13:20  <b>determined</b> [3] - 10:23, 11:7, 11:8  <b>different</b> [2] - 6:23, 7:21  <b>discussed</b> [3] - 8:11, 13:23, 14:24  <b>discussion</b> [2] - 9:1, 16:5  <b>discussions</b> [5] - 5:23, 5:25, 6:10, 6:12, 8:15  <b>DISTRICT</b> [2] - 1:1, 1:2  <b>DNA</b> [2] - 11:17, 14:19  <b>DNA-tested</b> [1] - 11:17  <b>dog</b> [12] - 8:10, 10:21, 10:23, 11:23, 12:3, 16:21, 16:25, 17:10, 17:13, 17:18, 18:1, 18:6  <b>dogs</b> [12] - 5:11, 10:1, 10:24, 10:25, 11:16, 11:21, 12:6, 12:8, 12:13, 14:1, 14:19, 18:8  <b>done</b> [2] - 9:3, 18:13  <b>duly</b> [1] - 4:5  <b>during</b> [3] - 5:5, 8:13, 9:9  <b>duties</b> [1] - 7:7</p>
<p style="text-align: center;"><b>4</b></p> <p><b>4</b> [1] - 3:4  <b>460</b> [1] - 2:15</p>	<p><b>ban</b> [11] - 12:18, 14:4, 14:20, 15:3, 15:7, 15:11, 15:16, 15:18, 16:2, 18:19, 18:24  <b>based</b> [1] - 10:3  <b>BAUMSTARK</b> [1] - 1:5  <b>behalf</b> [2] - 2:11, 2:17  <b>belief</b> [1] - 10:3  <b>Bethel</b> [1] - 13:10  <b>between</b> [1] - 16:6  <b>beyond</b> [2] - 8:4, 8:5  <b>Bismarck</b> [1] - 2:16  <b>Blackwell</b> [1] - 2:9  <b>Box</b> [1] - 2:15  <b>BRANDY</b> [1] - 1:4  <b>breed</b> [2] - 10:23, 11:19  <b>breeds</b> [2] - 9:25, 10:19  <b>Brian</b> [1] - 5:24  <b>BRIAN</b> [1] - 2:13  <b>bring</b> [2] - 13:15, 13:16  <b>Broadway</b> [2] - 1:21, 2:15  <b>budget</b> [1] - 7:5  <b>budgets</b> [1] - 7:15  <b>bull</b> [16] - 5:7, 5:15, 5:18, 6:1, 6:8, 8:8, 8:22, 9:23, 12:16, 14:4, 15:3, 16:20, 18:1, 18:8, 18:19, 18:24  <b>bulls</b> [15] - 8:22,</p>	<p><b>certify</b> [1] - 20:3  <b>challenge</b> [1] - 9:12  <b>change</b> [1] - 5:7  <b>CHANGE</b> [4] - 20:18, 20:20, 20:22, 20:24  <b>chief</b> [5] - 12:19, 13:2, 13:4, 13:5, 13:14  <b>chief's</b> [1] - 13:6  <b>children</b> [3] - 10:9, 17:8, 17:11  <b>citizens</b> [1] - 9:18  <b>city</b> [28] - 4:13, 4:17, 4:19, 4:20, 5:3, 5:6, 5:13, 5:23, 5:25, 6:3, 6:11, 6:16, 7:2, 7:3, 8:11, 8:16, 8:19, 9:13, 9:22, 10:8, 12:25, 13:16, 13:17, 14:15, 14:22, 15:2, 15:21  <b>CITY</b> [1] - 1:9  <b>City</b> [5] - 1:20, 11:10, 11:12, 12:17, 14:18  <b>City's</b> [1] - 7:8  <b>Civil</b> [1] - 1:17  <b>clarification</b> [1] - 7:13  <b>COLE</b> [1] - 1:6  <b>COLE-PEREA</b> [1] - 1:6  <b>commenced</b> [1] - 4:1  <b>commencing</b> [1] - 1:22  <b>commission</b> [18] - 4:17, 5:3, 5:14, 6:11, 6:17, 6:25, 8:3, 8:11,</p>	<p style="text-align: center;"><b>D</b></p> <p><b>DAKOTA</b> [2] - 1:2, 1:10  <b>Dakota</b> [4] - 1:19, 1:21, 2:16, 20:10  <b>damage</b> [1] - 9:22  <b>dangerous</b> [3] - 9:25, 10:18, 13:25  <b>DANIKA</b> [1] - 1:5  <b>data</b> [1] - 15:25  <b>Dated</b> [1] - 20:10  <b>days</b> [1] - 15:17  <b>decide</b> [2] - 17:17, 17:18  <b>decided</b> [1] - 17:24  <b>decision</b> [1] - 11:13  <b>Defendant</b> [2] - 1:11, 2:17  <b>defending</b> [1] - 9:11  <b>Department</b> [1] - 14:10  <b>deponent</b> [1] - 20:2  <b>DEPONENT</b> [4] - 16:13, 19:4, 19:7, 20:1  <b>Deponent</b> [2] - 2:20, 3:24  <b>deposed</b> [1] - 7:2</p>	<p style="text-align: center;"><b>E</b></p> <p><b>East</b> [2] - 1:20, 2:15  <b>eight</b> [2] - 4:24, 5:1  <b>EMILY</b> [1] - 1:6  <b>enforced</b> [2] - 6:8, 14:13  <b>enforcement</b> [3] - 6:11, 14:8, 14:12  <b>enforcing</b> [1] - 14:4  <b>event</b> [2] - 13:14, 13:15  <b>Examination</b> [1] - 3:4  <b>examination</b> [1] - 20:5  <b>EXAMINATION</b> [1] - 4:7  <b>examined</b> [1] - 4:5  <b>exception</b> [2] - 5:11, 8:10  <b>excerpt</b> [1] - 5:22</p>
<p style="text-align: center;"><b>A</b></p> <p><b>A-t-o-l</b> [1] - 13:7  <b>accomplish</b> [1] - 9:19  <b>accurate</b> [1] - 20:6  <b>additional</b> [1] - 5:4  <b>addressed</b> [1] - 5:15  <b>adjourned</b> [1] - 9:10  <b>administrator</b> [1] - 7:2  <b>adopt</b> [2] - 8:4, 8:5  <b>adopted</b> [6] - 5:19, 12:16, 12:18, 12:22, 14:12, 18:3  <b>adopting</b> [5] - 7:4, 7:5, 7:14, 8:5, 8:17  <b>agency</b> [1] - 14:9  <b>agenda</b> [1] - 8:21  <b>aggressive</b> [1] - 17:1  <b>ago</b> [3] - 10:15, 10:22, 15:17  <b>ALBERTSON</b> [1] - 1:4  <b>alleged</b> [1] - 14:20  <b>allow</b> [1] - 8:10  <b>allowed</b> [1] - 8:23  <b>ALSO</b> [1] - 2:19  <b>Alzheimer's</b> [1] - 13:11  <b>AMANDA</b> [1] - 2:8  <b>amending</b> [1] - 8:17</p>				

<p><b>executive</b> [1] - 6:13  <b>exhausted</b> [1] - 12:11  <b>experience</b> [1] - 16:15  <b>expressed</b> [1] - 18:10</p>	<p><b>incident</b> [4] - 10:8, 10:16, 10:22, 13:19  <b>indicated</b> [1] - 20:5  <b>individual</b> [2] - 8:18, 15:18  <b>information</b> [2] - 15:9, 15:25  <b>interviews</b> [1] - 18:14  <b>involved</b> [9] - 6:4, 6:7, 7:8, 7:9, 10:21, 10:25, 11:22, 11:24, 12:3  <b>item</b> [2] - 9:7, 9:9  <b>itself</b> [2] - 9:14, 14:16</p>	<p style="text-align: center;"><b>M</b></p>	<p><b>office</b> [1] - 6:20  <b>officers</b> [2] - 6:5  <b>often</b> [1] - 6:25  <b>Omaha</b> [1] - 2:10  <b>once</b> [1] - 14:11  <b>one</b> [1] - 10:8  <b>opinion</b> [7] - 9:14, 9:16, 9:17, 10:4, 14:2, 16:24, 18:8  <b>opinions</b> [1] - 18:10  <b>oral</b> [1] - 20:4  <b>ordinance</b> [19] - 5:7, 5:15, 5:19, 6:1, 6:8, 6:12, 8:9, 8:11, 8:14, 8:17, 8:22, 9:12, 9:14, 9:19, 12:16, 12:22, 13:16, 14:8, 14:11  <b>ordinances</b> [6] - 7:5, 7:14, 7:21, 8:4, 8:6, 14:6  <b>outside</b> [3] - 12:8, 18:17, 18:22  <b>OWAN</b> [1] - 1:5  <b>own</b> [1] - 18:11  <b>owned</b> [1] - 11:2  <b>owner</b> [2] - 12:4, 12:13</p>	<p>18:25  <b>place</b> [3] - 9:17, 11:11, 20:5  <b>plaintiffs</b> [1] - 4:4  <b>Plaintiffs</b> [2] - 1:7, 2:11  <b>point</b> [2] - 8:1, 14:7  <b>Police</b> [1] - 14:10  <b>police</b> [7] - 6:5, 12:19, 13:2, 13:4, 13:5, 13:14  <b>Porsborg</b> [1] - 2:14  <b>present</b> [3] - 5:24, 6:14, 16:10  <b>presentation</b> [4] - 9:3, 9:6, 15:4, 15:7  <b>presented</b> [1] - 8:19  <b>president</b> [4] - 4:13, 4:25, 9:13, 14:14  <b>pretty</b> [1] - 12:11  <b>Procedure</b> [1] - 1:17  <b>proceedings</b> [3] - 4:1, 16:9, 19:9  <b>proper</b> [2] - 14:7, 14:9  <b>provided</b> [1] - 15:24  <b>providing</b> [1] - 5:10  <b>Public</b> [1] - 1:18  <b>public</b> [5] - 8:16, 18:16, 18:18, 18:20, 18:23  <b>purpose</b> [1] - 6:1  <b>pursuant</b> [2] - 1:16</p>
<p style="text-align: center;"><b>F</b></p>	<p style="text-align: center;"><b>J</b></p>	<p><b>managing</b> [1] - 7:15  <b>MANUEL</b> [1] - 1:6  <b>married</b> [2] - 17:23  <b>MATHEW</b> [1] - 1:5  <b>mayor</b> [6] - 4:11, 4:14, 4:23, 6:4, 9:12, 14:14  <b>mean</b> [2] - 10:5, 12:7  <b>measures</b> [1] - 11:10  <b>media</b> [1] - 18:13  <b>meet</b> [1] - 6:25  <b>meeting</b> [1] - 15:3  <b>meetings</b> [2] - 18:20, 18:23  <b>member</b> [1] - 5:6  <b>members</b> [1] - 6:16  <b>mention</b> [1] - 13:19  <b>message</b> [1] - 15:17  <b>minute</b> [1] - 16:7  <b>minutes</b> [1] - 12:25  <b>Moldenhauer</b> [1] - 2:14  <b>month</b> [1] - 7:1  <b>mother</b> [2] - 11:23, 12:3  <b>motions</b> [1] - 7:16  <b>moved</b> [1] - 9:6  <b>MR</b> [20] - 2:7, 2:13, 2:19, 4:8, 7:12, 7:17, 7:18, 7:20, 7:21, 7:24, 7:25, 8:1, 8:2, 16:7, 16:8, 16:11, 16:14, 19:2, 19:5, 19:8  <b>MS</b> [1] - 2:8  <b>multiple</b> [1] - 10:24</p>	<p style="text-align: center;"><b>P</b></p>	<p style="text-align: center;"><b>Q</b></p>
<p><b>facts</b> [1] - 12:12  <b>far</b> [2] - 11:5, 13:24  <b>favor</b> [2] - 15:16, 15:22  <b>Federal</b> [1] - 1:16  <b>few</b> [2] - 15:17, 16:11  <b>first</b> [2] - 4:5, 4:16  <b>five</b> [2] - 6:18, 6:19  <b>Floor</b> [1] - 1:19  <b>follow</b> [1] - 16:12  <b>follow-up</b> [1] - 16:12  <b>follows</b> [1] - 4:6  <b>FOR</b> [1] - 1:2  <b>foregoing</b> [1] - 20:2  <b>forms</b> [1] - 7:18  <b>four</b> [2] - 6:21, 6:22</p>	<p><b>JYL</b> [1] - 1:4</p>	<p style="text-align: center;"><b>K</b></p>	<p><b>p.m</b> [5] - 1:22, 4:1, 16:9, 16:10, 19:9  <b>P.O</b> [1] - 2:15  <b>PAGE</b> [4] - 20:17, 20:19, 20:21, 20:23  <b>Page</b> [3] - 3:4, 3:24, 3:25  <b>pages</b> [1] - 20:4  <b>part</b> [1] - 8:12  <b>passing</b> [2] - 7:16, 15:15  <b>past</b> [1] - 12:25  <b>people</b> [5] - 9:20, 15:10, 15:15, 15:19, 18:11  <b>PEREA</b> [2] - 1:6, 1:6  <b>person</b> [2] - 11:3, 15:6  <b>person's</b> [1] - 15:6  <b>personal</b> [2] - 16:15, 16:17  <b>pit</b> [31] - 5:7, 5:15, 5:18, 6:1, 6:7, 8:8, 8:22, 9:22, 9:24, 10:9, 10:18, 11:5, 11:9, 12:15, 12:21, 13:19, 13:25, 14:4, 15:3, 16:15, 16:20, 16:24, 18:1, 18:8, 18:11, 18:14, 18:19, 18:24,</p>	<p><b>questions</b> [2] - 4:16, 16:12</p>
<p style="text-align: center;"><b>G</b></p>	<p style="text-align: center;"><b>L</b></p>	<p style="text-align: center;"><b>N</b></p>	<p style="text-align: center;"><b>O</b></p>	<p style="text-align: center;"><b>R</b></p>
<p><b>GENE</b> [1] - 2:7  <b>Gene</b> [1] - 1:15  <b>general</b> [2] - 7:18, 15:14  <b>gentlemen</b> [1] - 13:8  <b>given</b> [1] - 14:5  <b>goal</b> [1] - 9:20  <b>government</b> [2] - 7:19, 15:21  <b>guess</b> [1] - 7:12</p>	<p><b>keep</b> [1] - 9:17  <b>keeping</b> [1] - 9:20  <b>kept</b> [2] - 12:6, 12:8  <b>kind</b> [3] - 5:21, 15:19, 18:7  <b>kinds</b> [1] - 18:11  <b>KLUG</b> [5] - 1:14, 2:19, 3:3, 4:3, 20:14  <b>KLug</b> [3] - 4:10, 4:11, 20:2  <b>knowledge</b> [2] - 12:12, 12:17  <b>known</b> [1] - 4:13  <b>Korea</b> [1] - 17:25</p>	<p><b>name</b> [2] - 4:9, 13:6  <b>nanny</b> [1] - 10:10  <b>Nebraska</b> [1] - 2:10  <b>necessarily</b> [1] - 18:18  <b>next</b> [1] - 9:7  <b>NORTH</b> [2] - 1:2, 1:10  <b>North</b> [4] - 1:19, 1:21, 2:16, 20:10  <b>Notary</b> [1] - 1:18  <b>noted</b> [2] - 1:24, 20:7  <b>notice</b> [1] - 1:16</p>	<p><b>occurred</b> [1] - 6:13  <b>OF</b> [4] - 1:2, 1:9, 1:14, 20:1  <b>offers</b> [1] - 14:19</p>	<p><b>radio</b> [1] - 18:13  <b>Ray</b> [2] - 13:3, 13:7  <b>Ray's</b> [2] - 13:9  <b>read</b> [8] - 10:6, 12:19, 12:23, 12:24, 13:13, 13:18, 19:8, 20:3  <b>REANNAN</b> [1] - 1:4  <b>reason</b> [1] - 20:8  <b>REASON</b> [4] - 20:17, 20:19, 20:21, 20:23  <b>received</b> [1] - 15:9  <b>recessed</b> [1] - 16:9  <b>recollection</b> [1] - 14:23  <b>reconvened</b> [1] - 16:10  <b>record</b> [1] - 16:5  <b>regarding</b> [4] - 8:16,</p>
<p style="text-align: center;"><b>H</b></p>	<p style="text-align: center;"><b>L</b></p>	<p style="text-align: center;"><b>O</b></p>	<p style="text-align: center;"><b>P</b></p>	<p style="text-align: center;"><b>Q</b></p>
<p><b>Hall</b> [1] - 1:20  <b>Hauge</b> [1] - 1:17  <b>heard</b> [1] - 10:6  <b>herein</b> [2] - 1:24, 20:8  <b>HOLLY</b> [1] - 1:6  <b>Home</b> [1] - 13:10  <b>house</b> [2] - 12:8, 12:9  <b>Howard</b> [2] - 4:10, 20:2  <b>HOWARD</b> [5] - 1:14, 2:19, 3:3, 4:3, 20:14  <b>Husch</b> [1] - 2:8</p>	<p><b>last</b> [1] - 9:8  <b>Law</b> [4] - 1:15, 2:7, 2:8, 2:13  <b>law</b> [1] - 14:7  <b>lawsuit</b> [1] - 8:12  <b>legislatively</b> [1] - 5:15  <b>LINE</b> [4] - 20:17, 20:19, 20:21, 20:23  <b>listened</b> [1] - 8:23  <b>live</b> [1] - 17:10  <b>LLP</b> [1] - 2:9  <b>looked</b> [1] - 12:21  <b>Lori</b> [1] - 1:17  <b>LYNETTE</b> [1] - 1:5  <b>Lyson</b> [2] - 13:3, 13:10</p>	<p style="text-align: center;"><b>O</b></p>	<p style="text-align: center;"><b>P</b></p>	<p style="text-align: center;"><b>Q</b></p>
<p style="text-align: center;"><b>I</b></p>	<p style="text-align: center;"><b>L</b></p>	<p style="text-align: center;"><b>O</b></p>	<p style="text-align: center;"><b>P</b></p>	<p style="text-align: center;"><b>Q</b></p>
<p><b>IN</b> [1] - 1:1</p>	<p style="text-align: center;"><b>L</b></p>	<p style="text-align: center;"><b>O</b></p>	<p style="text-align: center;"><b>P</b></p>	<p style="text-align: center;"><b>Q</b></p>

<p>12:12, 18:19, 18:24  <b>regular</b> [1] - 7:19  <b>related</b> [1] - 5:10  <b>rely</b> [1] - 10:17  <b>report</b> [1] - 12:2  <b>Reporter</b> [1] - 3:25  <b>representative</b> [1] - 15:21  <b>requested</b> [1] - 8:21  <b>resident</b> [1] - 15:2  <b>resolutions</b> [2] - 7:22, 8:5  <b>respect</b> [1] - 8:8  <b>responsible</b> [2] - 7:4, 14:3  <b>rid</b> [1] - 17:18  <b>role</b> [2] - 6:3, 14:14  <b>Room</b> [1] - 1:20  <b>Rules</b> [1] - 1:17</p>	<p><b>State</b> [1] - 1:19  <b>state</b> [1] - 4:9  <b>statements</b> [3] - 18:17, 18:19, 18:24  <b>STATES</b> [1] - 1:1  <b>stepson</b> [6] - 16:19, 17:3, 17:8, 17:10, 17:18, 17:22  <b>still</b> [1] - 13:8  <b>Street</b> [1] - 2:9  <b>subject</b> [1] - 14:20  <b>SUCKLEY</b> [2] - 1:4, 1:4  <b>Suite</b> [1] - 2:9  <b>Summerlin</b> [3] - 1:15, 3:4, 16:6  <b>SUMMERLIN</b> [12] - 2:7, 4:8, 7:17, 7:20, 7:24, 8:1, 8:2, 16:7, 16:11, 16:14, 19:2, 19:5  <b>support</b> [1] - 15:10  <b>supported</b> [1] - 15:18  <b>sworn</b> [1] - 4:5</p>	<p><b>V</b></p> <p><b>vs</b> [1] - 1:8</p>
<p><b>S</b></p>	<p><b>T</b></p>	<p><b>W</b></p> <p><b>WALL</b> [1] - 2:8  <b>Wall</b> [1] - 16:6  <b>Williams</b> [1] - 1:18  <b>WILLISTON</b> [1] - 1:9  <b>Williston</b> [17] - 1:20, 1:21, 4:12, 5:16, 6:8, 7:5, 8:9, 9:18, 9:22, 10:9, 11:10, 12:16, 14:3, 14:10, 15:2, 17:5, 20:10  <b>Williston's</b> [1] - 18:24  <b>witness</b> [1] - 4:4</p>
<p><b>safe</b> [2] - 9:18, 9:20  <b>scared</b> [1] - 9:23  <b>SCHMIDT</b> [7] - 2:13, 7:12, 7:18, 7:21, 7:25, 16:8, 19:8  <b>schoolyard</b> [1] - 10:12  <b>Schweigert</b> [1] - 2:14  <b>scientific</b> [1] - 15:25  <b>Second</b> [1] - 1:19  <b>service</b> [4] - 5:11, 8:10, 17:23, 17:24  <b>session</b> [1] - 6:13  <b>set</b> [1] - 4:16  <b>sex</b> [1] - 11:21  <b>sheriff</b> [5] - 12:20, 13:2, 13:3, 13:15, 13:19  <b>sign</b> [1] - 19:8  <b>similarly</b> [3] - 9:25, 10:19, 14:1  <b>simply</b> [3] - 8:4, 8:5, 9:5  <b>situation</b> [1] - 15:1  <b>situations</b> [1] - 7:22  <b>six</b> [1] - 5:4  <b>sized</b> [3] - 9:25, 10:19, 14:1  <b>Smith</b> [2] - 2:14, 2:15  <b>someone</b> [2] - 9:5, 11:12  <b>son</b> [1] - 17:22  <b>sorry</b> [1] - 13:17  <b>South</b> [1] - 17:25  <b>specifically</b> [2] - 9:22, 12:20  <b>staggered</b> [1] - 6:23  <b>Stan</b> [2] - 13:3, 13:10</p>	<p><b>task</b> [1] - 14:6  <b>tenure</b> [2] - 5:13, 8:13  <b>term</b> [1] - 6:20  <b>tested</b> [1] - 11:17  <b>testified</b> [1] - 4:5  <b>testing</b> [1] - 14:19  <b>text</b> [1] - 15:17  <b>thanked</b> [1] - 8:23  <b>THE</b> [6] - 1:1, 1:2, 1:9, 16:13, 19:4, 19:7  <b>themselves</b> [3] - 12:13, 18:9, 18:25  <b>three</b> [3] - 10:15, 10:22, 11:1  <b>today</b> [1] - 7:3  <b>training</b> [1] - 6:4  <b>transcript</b> [1] - 20:6  <b>transfer</b> [1] - 17:25  <b>Tuesday</b> [1] - 1:21  <b>twice</b> [1] - 7:1  <b>typewritten</b> [1] - 20:4</p>	<p><b>Y</b></p> <p><b>years</b> [7] - 4:24, 5:1, 5:4, 6:21, 6:22, 10:15, 10:22  <b>young</b> [1] - 10:9</p>
	<p><b>U</b></p> <p><b>ultimately</b> [1] - 14:5  <b>UNITED</b> [1] - 1:1  <b>unusual</b> [1] - 16:21  <b>up</b> [1] - 16:12</p>	