

FILED
02-20-2026
Clerk of Circuit Court
Price County, WI
2026CV000024

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH _____

PRICE COUNTY

Waldemar Andrew Madsen III
561 Flambeau Avenue
Phillips, WI 54555

Plaintiff,

Case No. _____

Case Code: Personal Injury - Other 30107

v.

Price County
c/o Meredith Hueckman, County Clerk
Price County Courthouse
126 Cherry St., Room 106
Phillips, WI 54555,

And

Taylor Drake
Price County Sheriff's Office
164 Cherry Street
Phillips, WI 54555,

Defendants.

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SUMMONS

THE STATE OF WISCONSIN, To each person named above as a
Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within 45 days of receiving this summons, you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is:

Lisa Walcisak
Price County Clerk of Circuit Court
Price County Courthouse
126 Cherry St.
Phillips, WI 54555,

and to Jeff Scott Olson, Plaintiff's attorney, whose address is

Jeff Scott Olson
The Jeff Scott Olson Law Firm, S. C.
1025 Quinn Drive, Suite 500
Waunakee, WI 53597-2502

You may have an attorney help or represent you.

If you do not provide a proper answer within 45 days, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint.

A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this Friday, February 20, 2026.

Respectfully submitted,

Waldemar Andrew Madsen III,

Plaintiff,

By

THE JEFF SCOTT OLSON LAW FIRM, S.C.
JEFF SCOTT OLSON
State Bar No. 1016284
1025 Quinn Dr., Suite 500
Waunakee, WI 53597-2502
Phone: (608) 283-6001
Facsimile: (608) 283-0945
E-mail: jsolson@scofflaw.com

Electronically signed by Jeff Scott Olson

Jeff Scott Olson
ATTORNEYS FOR PLAINTIFF

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COMPLAINT

I. NATURE OF ACTION

101. This is a civil action brought pursuant to the Civil Rights Act of 1871, codified at 42 U.S.C. § 1983, seeking damages to compensate the Plaintiff, Waldemar Andrew Madsen III, for the injuries he sustained when he was arrested by the individual Defendant in violation of rights secured to him by the First, Fourth and Fourteenth Amendments to the United States Constitution.

II. JURISDICTION AND VENUE

A. Jurisdiction

201. This Court has jurisdiction over this action by virtue of its general jurisdiction over civil cases conferred by Wis. Stat. § 753.03. *Terry v. Kolski*, 78 Wis. 2d 475, 254 N.W.2d 704 (1977).

B. Venue

202. Price County is the proper venue for this action because the Plaintiff's claims arose in this county within the meaning of §801.50(2)(a), Wis. Stats.

III. PARTIES

A. Plaintiff

301. Plaintiff Waldemar Andrew Madsen III is an adult male resident of the State of Wisconsin with the capacity to sue and be sued in this Court.

B. Defendants

302. Defendant Price County, is a Wisconsin county with the capacity to sue and be sued in this Court.

IV. ALLEGATIONS OF FACT AS TO ALL CAUSES OF ACTION

401. On February 23, 2024, the Plaintiff, Waldemar Andrew Madsen III (hereinafter referred to as “Mr. Madsen”) was arrested by Defendant Taylor Drake, a deputy sheriff for the Defendant, Price County.

402. Deputy Drake arrested Mr. Madsen for unlawful use of a telephone in violation of Wisconsin Statute 947.012(1)(b), a Class B misdemeanor, because Mr. Madsen had left one or more voicemail messages on the telephone of a customer of his business which Deputy Drake described in his report as being “laced with profane language and in a seemingly hostile tone.”

403. As a result of his arrest at the hands of Deputy Drake, Mr. Madsen was transported to the Price County jail in handcuffs and booked into the jail.

404. As a result of his arrest at the hands of Deputy Drake, Mr. Madsen was prosecuted for disorderly conduct in violation of Price County Ordinance 403.3.

405. Mr. Madsen reasonably retained counsel at significant expense to represent him in that case, which was, after several months, dismissed on motion of the prosecution.

406. When he arrested Mr. Madsen, Deputy Drake was acting within the scope of his employment within the meaning of § 895.46 Wis. Stats.

V. BASES OF LIABILITY

A. Fourth Amendment.

501. Defendant Drake arrested Plaintiff Madsen without probable cause to believe that Mr. Madsen had committed any crime, in violation of rights secured to him by the Fourth and Fourteenth Amendments to the United States Constitution.

B. First Amendment.

502. Defendant Drake arrested Plaintiff Madsen for spoken words which did not amount to true threats, in violation of rights secured to him by the First and Fourteenth Amendments to the United States Constitution.

C. County Responsibility

503. Defendant Price County is liable for the assault committed by Thorpe on the Plaintiff because Thorpe was acting within the scope of his employment when he committed it within the meaning of § 895.46 Wis. Stats. Mr. Madsen does not allege that his arrest was carried out pursuant to any policy of Price County.

VI. DAMAGES

A. Compensatory Damages.

601. By virtue of the unlawful actions alleged above, Plaintiff Waldemar Andrew Madsen III has sustained a loss of liberty, monetary expenses, including attorneys' fees to defend the disorderly conduct prosecution, physical discomfort, and mental and emotional distress, and has suffered other injury and damages, for which he seeks an award of compensatory damages in an amount deemed just by the court.

VII. CONDITIONS PRECEDENT

701. All conditions precedent to this action within the meaning of § 802.03(3), Wis. Stats., have been performed or have otherwise occurred.

VIII. PRAYER FOR RELIEF

WHEREFORE, the Plaintiff Waldemar Andrew Madsen III prays the Court to grant him a judgment against the Defendants awarding him the full amount of his damages, together with interest, costs and attorney's fees and such other and further relief as the Court deems just.

Dated this Friday, February 20, 2026.

Respectfully submitted,

Waldemar Andrew Madsen III,

Plaintiff,

By

THE JEFF SCOTT OLSON LAW FIRM, S.C.

JEFF SCOTT OLSON

State Bar No. 1016284

1025 Quinn Dr., Suite 500

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