



Office of the City Attorney

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August 14, 2009

Madison Development Corporation
Frank Staniszewski, President
550 W Washington Ave
Madison, WI 53703-2616

Orbitec
1212 Fourier Dr
Madison WI 53717

RE: Complaint against Madison Development Corporation / Biolink / Orbitec
Madison's Lobbying Ordinance

Dear Sir or Madam:

Enclosed is a copy of a complaint filed by Brenda Konkel, together with attachments, alleging that you are in violation of Madison's lobbying ordinance. Madison's lobbying ordinance is located at Sec. 2.40, Madison General Ordinances.

Based upon the complaint and the attachments, it appears that you are subject to the lobbying ordinance because you have filed an application for TIF assistance. The complaint also names Biolink (no specific address or entity is identified) and Orbitec, located at 1212 Fourier Drive, Madison WI 53717. Based upon my review of the attachments to the complaint, it appears that the TIF application was filed on behalf of Madison Development Corporation, not Orbitec.

If you agree that you are subject to the ordinance, I request that you promptly file the required registration and reporting forms for any period of time during which you have lobbied the City. If you believe you are not subject to the ordinance, I ask that you provide me with an explanation or rationale for your exemption from the ordinance. Sec. 2.40(2)(l) excludes from the coverage of the ordinance any "public official acting in an official capacity on behalf of his/her governmental unit. . . ." My understanding is that Madison Development Corporation does not contend that it is a governmental unit, nor does it contend that its officers are public officials. If I am incorrect on this matter, please provide me with information to verify the public status of Madison Development Corporation.

This is your opportunity to provide us with any additional information related to the complaint. Do you disagree with any of the allegations? Is there other information you wish to provide?

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In either event, I ask that you respond to this letter within fifteen days. At that time, our office will determine whether any additional action will be taken.

Sincerely,



Michael P. May
City Attorney

MPM:pah
Enclosures

cc: (w/o Enclosures)
Brenda Konkel
✓ Adam Gallagher, City Clerk's Office