

Superior City Atty. Prell Puts Councilor Van Sickle On Legal Notice For Claims Of Defamation

Late Monday, Van Sickle changed her Twitter account from public to "protected."

June 24, 2019 by [Dan Hanger](https://www.fox21online.com/author/danhanger/) (<https://www.fox21online.com/author/danhanger/>)

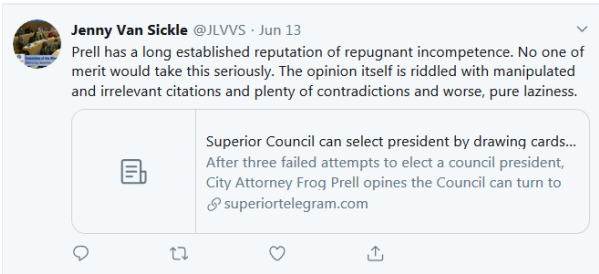
SUPERIOR, Wis. – Superior City Attorney Frog Prell has put Councilor Jenny Van Sickle on legal notice for allegations of defamation and libel. ([Click here for Prell's defamation notice](https://www.fox21online.com/content/uploads/2019/06/Frog-Prell-Defamation-Case.pdf)) (<https://www.fox21online.com/content/uploads/2019/06/Frog-Prell-Defamation-Case.pdf>).

This comes after Van Sickle called [Prell lazy, incompetent](https://www.fox21online.com/2019/06/16/superior-councilor-van-sickle-blasts-city-attorney-prell-as-incompetent-lazy/) (<https://www.fox21online.com/2019/06/16/superior-councilor-van-sickle-blasts-city-attorney-prell-as-incompetent-lazy/>) and a manipulator on social media in response to [Prell's research report](https://www.fox21online.com/content/uploads/2019/06/Suprior-Council-Impasse.docx) (<https://www.fox21online.com/content/uploads/2019/06/Suprior-Council-Impasse.docx>) that concluded the council could pick a council president with a deck of cards to eliminate the council's impasse.

Prell's attorney, Jeff Olson, told FOX 21 that Van Sickle's statements are lies not supported by facts, which in turn is damaging to Prell's reputation.

Van Sickle's statement on Twitter from early June reads:

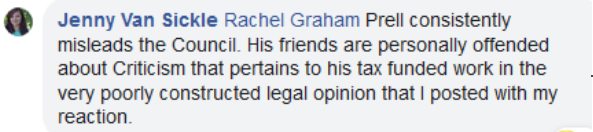
“Prell has a long established reputation of repugnant incompetence. No one of merit would take this seriously. The opinion itself is riddled with manipulated and irrelevant citations and plenty of contradictions and worse, pure laziness,” Van Sickle posted.



Capture.png)

(<https://www.fox21online.com/content/uploads/2019/06/Jenny-Van-Sickle->

Prell’s case also points to the Facebook group known as “Feminist Justice League” where Van Sickle, among other comments, said “Prell consistently misleads the Council.”



(<https://www.fox21online.com/content/uploads/2019/06/Misleads-Council-Quote.png>)

The legal notice to Van Sickle and the City Clerk’s Office is required by state law when making a defamation claim against a government employee.

This allows the city of Superior, in this case, to do its own investigation and potentially settle outside of court.

At any point within the next three years, a civil lawsuit could be filed by Prell seeking punitive damages, according to Olson.

In response to the legal notice, Councilor Van Sickle released the following statement to FOX 21:

“The matter has been referred to counsel. We intend to vigorously defend my protected right to speak out.”

City Attorney Prell also released a statement:

“My family and I have been waiting for a week and a half to better understand how my 17+ years with the city have been reduced to a history of “repugnant incompetence and laziness.” My family and I have been waiting for a week and a half for Ms. Van Sickle to remove the libelous and slanderous comments from her various social media sites. I no longer expect an apology – nothing could be less sincere at this point. But I do expect this vitriol to stop and I believe that my coworkers and most of our council expect the same. I do good work for the city and I expect to do a lot more. The offer that I’ve previously made to Ms. Van Sickle stands – if she takes issue with my work product, I invite her to reach out to me to talk about it.”

At last Tuesday’s council meeting, Van Sickle was censured in a 6-4 vote for her social media comments about Prell. Councilors Ruth Ludwig, Van Sickle, Warren Bender and Tylor Elm voted against the censure.

Mayor Jim Paine followed by vetoing the censure and saying free speech is not a crime.

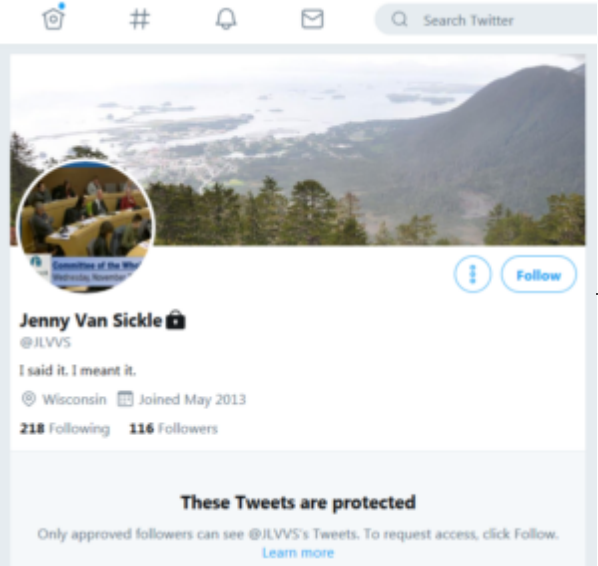
“Speech is not a crime. Speech should not — must not — be punished by the government. This is a fundamental principal in our democracy,” Paine said.

And earlier that evening, Paine held a press conference to release his own report with outside legal advice (<https://www.fox21online.com/content/uploads/2019/06/Mayor-Paines-Conclusion.docx>) that called Prell’s report as “lacking authority or sufficient guidance.” Paine’s report goes on to say “It is factually false, contradictory, insufficiently researched, and frequently irrelevant. It invents precedent where none exists, ignores obvious precedent, invents custom that it later admits does not exist, and undercuts its own, false logic.”

At the council meeting Tuesday, Van Sickle said she would not apologize for her social media statements.

“I will not back down, I told the truth, I have no regrets and I am not sorry,” Van Sickle said.

Sometime late Monday evening Van Sickle did change her [Twitter profile \(https://twitter.com/JLVVS\)](https://twitter.com/JLVVS) from public to “protected.” “Only approved followers can see @JLVVS’s Tweets. To request access, click Follow,” the homepage read. Also, the other post in question on the Feminist Justice League’s Facebook page appeared to no longer be searchable or was deleted.



[_ \(https://www.fox21online.com/content/uploads/2019/06/Twitter-Protected.png\)](https://www.fox21online.com/content/uploads/2019/06/Twitter-Protected.png)

Mayor Paine did not have any comment Monday on Prell’s legal notice, saying he did not know the details of the case yet or the city’s level of involvement.

Council President Brent Fennessey and Council Vice President Craig Sutherland chose to hold back on commenting Monday to let the legal process unfold at this time.

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