

The Watchdog

Confidential Information for Dog Owner

Participants: Complainant: Gardener
Respondent: Dog owner

Summary

The complainant and respondent have been next-door neighbors in a Chicago suburb for ten years. They have had a friendly relationship in the past. However, things deteriorated rapidly when the respondent bought a black Labrador retriever six months ago. The dog is kept in the respondent's yard and it is very large and seems to be an aggressive watchdog. He has a keen sense of hearing and barks frequently when people approach either his home or the neighboring homes. The Complainant has complained about this many times to the dog owner. Two months ago the dog dug a hole underneath the wooden fence that separated the two back yards. He crawled through the hole into the complainant's back yard and uprooted some tulips. Complainant called the respondent and complained. The complainant was very concerned about the prize winning rose bushes, which are located in the far corner of the yard. The respondent filled in the hole under the fence. Nonetheless, the dog got into the complainant's yard once again a week later and uprooted two of the rose bushes. The complainant became hysterical and chased the dog with a broom. This angered the dog and as a result, the dog bit the complainant's hand and barked and growled. The respondent ran to the scene, and unable to calm the complainant and the dog, took the dog off the premises.

The complainant demanded that the respondent pay \$400 in doctor's bills for the four stitches (a result of the dog bite,) and for the value of the two rose bushes, which complainant valued at \$500 each. The respondent refused. Complainant then filed suit in civil court for \$3,000. The judge referred the case to mediation.

Dog Owner

You are sick of being lectured by the complainant. Your neighbor is acting completely unreasonable about this dog issue. No neighbor can tell you that you can't own a dog. Part of the reason you moved to the suburbs was to have a dog for the kids to play with.

The complainant is exaggerating about the noise. Another reason you bought this dog is to have a watchdog and to feel safe. The dog is a good watchdog, and it only barks when a stranger is on your front porch. It does not bark whenever someone passes by or is at the neighboring houses. The only time it has barked at night is when your college-aged son had friends over late at night on a few occasions.

The dog bite was entirely your neighbor's fault. Your neighbor should not have been "beating the dog with a broom." What did your neighbor expect the dog to do, apologize? You are sorry that the dog got into the neighbor's yard again, but you should have been called right away, instead of your neighbor attacking your dog. If asked, tell the mediator that the dog got into complainant's yard the second time by jumping over the fence.

You want your neighbor drop this ridiculous claim against you. You will not pay for the doctor's bill since the dog bite was complainant's fault. The most you will do is buy new rose bushes so that your neighbor can re-plant can replant them where the others were. There is no way you will pay \$500 for each bush. Your gardening catalogue sells them for less than \$20 each. You do feel bad that the dog has gotten into your neighbor's yard twice and damaged flowers. Your neighbor seemed really upset about those roses. However, there is no way you will pay for this "bogus" \$1,000 pain and suffering claim or the \$600 nuisance claim.