



Table of Contents

- [Introduction](#)
- [News](#)
- [Quarterly Meeting](#)
- [Upcoming Events](#)
- [Think you Know Dogs? Test Your Smarts with Dog Breed Challenge](#)
- [Judge to decide: Was Rocky River's Lawsuit Just a Dog-n-Pony Show?](#)
- [Furry Friends Spotlight - Ike the Dalmation](#)
- [Non Profit!](#)
- [Recipe - Everyday Dog Treats](#)
- [Quiz Answers](#)

Introduction

Welcome to "Paw Prints", the newsletter of the Lakewood Dog Park! This edition contains the Dog Park Lawsuit Trial Summary and a few other important notes (can you say non-profit?!) Sarah Luikart also put together a fun dog quiz - how will you do? We hope you enjoy reading it and find it valuable. This newsletter and past editions are available online. Visit our website at www.LakewoodDogPark.org to learn more, or to join our email list. For questions, email topdog@lakewooddogpark.org. Enjoy!

Recent News

- We are preparing for the Dog Swim - don't miss it on Tuesday Sept. 7th.
- We finished up the trial portion of the lawsuit, but are still awaiting a verdict. See the article below.
- The hanging flowers look about a hundred times better than they did last year. Thanks Tammy and everyone who has helped water them!
- We tried something new and on July 30th, some of us



met and went for a walk instead of hanging around the park. We are doing it again on August 28th and possible other dates in the future. Check out our events section in this newsletter and online.

- A bunch of people came to the Bow Wow Beach field trip on Saturday August 21st. The weather held off just long enough for the dogs to swim and play for a few hours, and then we had a picnic just outside of the park. Good times! Check out the pictures on the right of two carloads of dogs ready to go swimming.



- Don't forget that just because the trial is over doesn't mean we can do whatever we want now. Please control your dog's barking and observe all posted rules and ordinances. Thanks!

Quarterly Meeting

Sunday, August 29th at 6:30pm

Our first quarterly meeting since our trial came to a close will be a great time for you to ask questions and find out what is happening at the park and where we stand with regards to the lawsuit against the park. We hope to have a representative from Lakewood's Law office there. A detailed agenda will be available online before the meeting, but we will have ample time to answer your questions and hear what you have to say.

There is a rumor that there might be game or contest too, so don't miss out!

The quarterly meeting will be held on Sunday, August 29th at 6:30pm in the auditorium of the Lakewood Public Library, 15425 Detroit Ave, Lakewood, OH 44107. It is open to anyone from any city who wishes to know more about the dog park.

Upcoming Events

- [Fun Dog Walk](#) - Meet in the grassy area in front of the dog park at 9:00am on August 28th to walk your dog with us.
- [Quarterly Meeting](#) - Come find out what happened at the trial on Sunday, August 29th at 6:30pm at the Library Auditorium
- [Lakewood Dog Swim](#) - This is the event everyone waits for all year. Bring your pup to Lakewood Park's Foster Pool for a splashing good time the day after Labor Day, Tuesday, September 7th from 5:30 to 8pm.

Think you Know Dogs? Test Your Smarts with Dog Breed Challenge

by Sarah Luikart

Questions	Possible Answers
1. Known as the smallest dog in the Sporting Group, this breed is said to be a capable gun dog due to its love of hunting	
2. Referred to as the "grey ghost" because of the distinctive color of its coat	
3. This breed is believed to have descended from crossing the Lhasa Apso with a Pekingese	A. Leonberger
4. This dog took its name from a tax collector who desired a medium-sized guard dog	B. Cairn Terrier
5. Recognized by its beautiful coat, this dog is able to guard its flock in all weather conditions	C. Shih Tzu
6. Originally bred to hunt lions in South Africa	D. Kuvasz
7. Originating in Turkey, this breed was bred to be the same size and color as the livestock it was protecting so that it would remain undetected by predators	E. Anatolian Shepherd
8. Often mistaken for the German Shepherd, this breed is also popular as police and military working dogs.	F. Cocker Spaniel
9. Best known as "Toto" from the Wizard of Oz	G. Cane Corso
10. Although the smallest of the Japanese native breeds, it was bred to fight wild boar and bear	H. Chesapeake Bay Retriever
11. This Mastiff-type breed was only known in Southern Italy prior to 1988	I. Keeshond
12. Named the state dog of Maryland	J. Parsons Terrier
13. An aristocratic bird dog, this breed is best known for its mahogany red coat	K. Whippet
14. Out of all breeds of dogs, this one has the most mispronounced name	L. Newfoundland
15. Developed in Hungary, it is often said that this dog looks like a kitchen mop	M. Rhodesian Ridgeback
16. Once owned only by royalty, its name translates to "armed guard of the nobility"	N. Doberman Pinscher
17. Known and bred for companionship, this breed almost became extinct after WWI	O. Weimaraner
18. This breed played the characters of "Nana" in Peter Pan, "Lou" in Police Academy 2 and "Mother Teresa" in Must Love Dogs	P. Irish Setter
	Q. Great Pyrenees
	R. Belgian Malinois
	S. Komondor
	T. Shiba Inu

19. This breed was once known as a Jack Russell Terrier

20. This breed is the fastest domesticated animal of its weight reaching speeds of 35mph, and was nicknamed "the poor man's racehorse"

Judge to decide: Was Rocky River's Lawsuit Just a Dog-n-Pony Show?

by Karen Karp (Dudley) and Kent Cicerchi (Max), Save the Dog Park Committee Co-Chairs

The trial in the lawsuit brought by the City of Rocky River and four residents of the High Parkway neighborhood against the City of Lakewood and the users of Lakewood Dog Park on a complaint of excessive barking concluded on July 21. The Honorable Carolyn Friedland of Cuyahoga County Common Pleas Court will make her decision in the case after thorough review of the court transcript, statements filed by legal counsel in lieu of closing arguments and evidence presented. Although the court gave no indication how long the decision would take, the Friends of the Lakewood Dog Park have learned from Lakewood Assistant Law Director Scott Claussen that the decision is, at a minimum, ten weeks away. Claussen and Law Director Nora Hurley represented the city at trial.

As you may recall, Judge Friedland previously dismissed the case, filed in 2007, on the grounds that Rocky River and its residents could not interfere with legitimate municipal functions of their neighbor, Lakewood. The appellate court disagreed with the application of law to this case and returned it to Judge Friedland for a determination on the facts. By agreement of the parties, the trial proceeded solely on the issue of barking, omitting the plaintiffs' other allegations that the park was a source of foul odors and dog biting.

At trial, Rocky River and its residents maintained that barking from the park has been excessive and, therefore, constitutes a public and private nuisance to some Rocky River residents. Legal practitioners generally agree that nuisance law is not black and white; there is no bright line separating actionable behavior from benign annoyances of everyday life.

When questioned about a list of various outdoor sounds that continuously surround them, witnesses from Rocky River concurred: cars and motorcycles in the MetroParks, Interstate traffic, loud low-flying jets, passing trains, service trucks, back-up warning alarms, and chainsaws were acceptable background noises to be ignored. Perhaps somewhat arbitrarily, only dog barking was argued to be intolerable. These same witnesses, however, failed to reach consensus as to why dog barking rose to the level of "nuisance," be it grating, troublesome, unsettling, upsetting, disrupting, disturbing, distracting, irritating, aggravating or simply annoying. These discontented River residents seemed to want to create yet another variety of nuisance theory based on a standard individual to each of them.

Several of the complainants recorded their observations about the Lakewood Dog Park in personal logs and journals, which had been a bone of contention among legal counsel during the pre-trial discovery process. Rocky River's attorney had contended that he was not obligated to turn these documents over to opposing counsel. When High Parkway resident Eileen Griffin testified that she had prepared her notes, not to refresh her recollection, but as "proof" of the subject matter, the legal beagles began snapping at one another. This culminated in a time-out, an in-chambers conference, a subsequent ruling that forced Rocky River to share these hundreds of pages of documents with Lakewood and more than a half-day delay in the proceedings.

Carol Buddie, one of the co-plaintiffs, testified to having made hundreds of recordings, both audio and video, of sounds from the dog park. Judge Friedland permitted her to choose and play nine video clips to demonstrate the barking at its worst. The clips that she chose ranged in length from twenty-one seconds to twelve minutes. None of the clips corroborated any of the residents' claims that barking was continuous and always present, that residents could hear barking from inside

their houses with the windows closed, nor that all of the barking originated solely from dogs inside the dog park. When asked under cross-examination, Ms. Buddie acknowledged that she made one of her clips on December 5, 2009, during a rally held to protest this lawsuit. The number of dogs in attendance at that rally, held nearby but outside the confines of the dog park, far surpassed the number that would have normally been present on a frigid Saturday morning.

Taking the stand, Rocky River Mayor Pamela Bobst spoke in detail about the city's extensive efforts to mitigate other nuisance noise in Rocky River, including in the High Parkway neighborhood. If there was any merit to the co-plaintiffs' assertions that they were not disturbed by any other noise prior to the construction of the Lakewood Dog Park, the mayor's statement seemed to fly in the face of the residents' earlier testimony.

When Lakewood Mayor Ed FitzGerald and Director of Engineering Bill Corrigan took the stand, Rocky River attorney Michael O'Shea went trolling, unsuccessfully, for statements damaging to Lakewood regarding the city's decision to place the dog park at its current location instead of the middle of downtown Lakewood. Mr. O'Shea consistently came up short.

Edward Walter, an acoustics consultant, had been recently hired jointly by the cities of Rocky River and Lakewood to perform a sound study at the dog park, in the backyards of High Parkway residences and around the valley's rim. He was called only by Lakewood to provide expert testimony in the dog park matter. When pressed under cross-examination to address a theory of a Blossom Music Center-like "bowl effect," (mentioned in a 2004 internal Lakewood memorandum and oft cited by Rocky River counsel but never substantiated with testimony of the memo's author), Mr. Walter testified that he did not note a "bowl effect" in the dog park. "I would not classify [the dog park] as having an amphitheatrical effect," he said.

Also testifying on behalf of Lakewood were Jake McGee, who produced a promotional video for the dog park, and FLDP board member Susan Sabik. Additionally, Lakewood called to the stand Rocky River resident and dog park supporter Marilyn Mulligan, who contributed original artwork and text for a mailing to fellow River residents to protest the city's use of tax dollars to pursue this lawsuit. Under cross-examination, Mulligan strongly defended the use of the word "malcontents" in the postcard to describe the resident-plaintiffs. These complainers "are using my money to try to close a park that I love. There really isn't excessive barking," she said.

All park-goers who testified noted their positive experiences at the dog park. All similarly acknowledged under oath that dogs do bark there, but rarely for more than an average of 10-15 seconds, when either they walk away from each other or humans intervene. "Society would be a lot better if people worked out their disagreements as the dogs do," observed Lakewood resident Randy Hrabak.

[Read the full version of the foregoing article here](http://www.lakewoodobserver.com/read/6/15/lakewood-hopes-dog-park-will-sit-stay)
<http://www.lakewoodobserver.com/read/6/15/lakewood-hopes-dog-park-will-sit-stay>

Furry Friends Spotlight

Ike the Dalmation

by Susan Sabik

Our Furry Friend this month is Ike the Dalmation. Ike is a pure bred Dalmation with a few health problems which have slowed him down a little. He likes coming to the dog park with his owner, Ron, but when you see him, you'll notice that mozing around and saying hello to people and dogs is what makes him happy rather than romping and intense playing. Many dalmations have trouble with kidney stones, and Ike has been no exception. His previous surgery has slowed him down a little, but certainly hasn't dampened his spirit. Ron and Ike come to the park several times a week,

so next time you see them, be sure to say hello!

The Dalmatian comes from Dalmatia, a region of Croatia and have been used for guarding, hunting, and coach dogs. It is noted for its white coat with either black or liver spots. This popular breed of dog is a well-muscled, mid-sized, elegant dog with excellent endurance and stamina. The Dalmatians are between 19 and 24 inches tall and the weigh from 35 to 70 pounds. The Dalmatian coat is short, fine, and dense. Dalmatians shed considerably, and shed year-round.



The Dalmatian is incredibly loyal and active. Usually good with other pets, notably horses, dalmatians make an excellent addition to a family that already has animals of any kind. They usually aren't the best with children under ten, but regular training may help. Dalmatians are a rather active breed. Dalmatians are known for their loyal nature and thrive on human companionship. Dalmatians are occasionally known to have a stubborn streak.

The use of Dalmatians as carriage dogs was transferred to horse-drawn fire engines. Today the Dalmatian serves as a firehouse mascot but, back in the days of horse-drawn fire carts, they provided a valuable service. Dalmatians and horses are very compatible, so the dogs were easily trained to run in front of the carriages to help clear a path and quickly guide the horses and firefighters to the fires.

A genetic predisposition for deafness is a serious health problem for Dalmatians, only approximately 70% of Dalmatians having normal hearing. They can suffer from hyperuricemia, too much uric acid in the blood. causing gout; and can be excreted in high concentration into the urine, causing kidney stones and bladder stones. To reduce the risk of gout and stones, owners should be careful to limit the intake of purine by not feeding these dogs organ meats, animal by-products, or other high-purine ingredients.

Non Profit!

by **Tamara Lentini**

It's Official!!!

Friends of the Lakewood Dog Park, Inc. is now officially a 501(c)(3). The Incorporation came through earlier this year and once that was in we could apply for non-profit status. We were granted non-profit status as a public charity on July 7, 2010. This is great news for us as it will allow us to solicit donations from large corporations, allow donations to be taken online in the form of Pay-pal (coming soon!), and allow donations to be written off of your taxes if you so choose.

So, with all that in mind, it's time for a shameless plug. When your friends and family ask you what you want for your birthday, anniversary, or favorite gift giving holiday you can tell them to make a donation in your name to the Friends of the Lakewood Dog Park, Inc.!

Peanut Butter Banana Dog Treats

- 1 cup whole wheat flour
 - 1/2 cup wheat germ
 - 1/2 cup mashed banana
- Preheat oven to 300 degrees. Grease a baking sheet.
- Mix the egg, peanut butter, banana, and sugar in a bowl.

- 1/3 cup peanut butter
- 1 egg
- 1 egg white, lightly beaten
- 1 tbsp sugar

Mix in the flour and wheat germ. Turn dough out onto a floured surface and roll out until 1/4 inch thick. Cut into shapes with a cookie cutter, place on baking sheet, and brush tops with egg white.

Bake in a preheated oven until dried and golden brown, about 30 minutes. Remove from oven and cool on a wire rack.

Answers to the Quiz

by Sarah Luikart

1. F
2. O
3. C
4. N
5. Q
6. M
7. E
8. R
9. B
10. T
11. G
12. H
13. P
14. I
15. S
16. D
17. A
18. L
19. J
20. K

How did you do - Do you know dogs?

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