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July 16, 2024

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Scott Nelson  
Dubuque County Attorney  
720 Central Ave  
Dubuque, IA 52001

Re: City of Dyersville ARPA Funds

Dear Scott:

This office represents the City of Dyersville. We write today with regard to certain funds requested to be released from ARPA funds held by Dubuque County on November 29, 2023, in the amount of \$524,283.88. The request for payment with the invoice was made by Dyersville City Clerk/Treasurer Tricia Maiers by email to Stella Runde. Immediately after this email a second email was fraudulently generated by a malicious third-party, requesting that the payment be made via wire transfer to an unfamiliar bank account. Dubuque County issued this ACH payment without verbally communicating with the City of Dyersville to confirm any of the details, despite never having issued an ACH payment of this type to the city in the past, and the \$524,283.88 passed to the bad actors that sent the fraudulent email. The county was best positioned to prevent this loss and ignored every red flag that presented itself. The county had a duty and an obligation to verify the wire instructions before issuing payment, particularly when no similar payments had been issued in the past.

We have attempted numerous times to resolve this matter with Dubuque County. We have met with you personally and have been repeatedly told that the City of Dyersville and its residents must "be patient". In the eight months since the negligent payment by the county to a criminal third-party the city has been patient, but we have seen no progress toward a resolution that would reimburse the loss suffered by the city and the people of Dyersville. Whether this lack of progress toward a resolution is the result of a slow response by the county's insurance provider, a breakdown in communication within the county, or the result of political maneuvering, we do not know. What matters is that the City of Dyersville has lost over half of a million dollars and must be made whole.

**Fuerste, Carew, Juergens & Sudmeier, P.C.**

Dubuque County Attorney  
July 16, 2024

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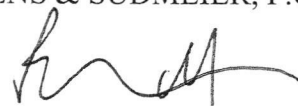
At this time, we hereby demand payment by Dubuque County to the City of Dyersville in the full amount of \$524,293.88. If payment in the full amount is not received by the City of Dyersville, or satisfactory measures taken to ensure the prompt payment thereof, within thirty (30) days of the date of this letter, we will have no choice but to proceed toward litigation to protect the interests of the city and the people of Dyersville.

Please provide a copy of this letter to your insurance provider and put them on notice of the possible claim.

Very truly yours,

FUERSTE, CAREW,  
JUERGENS & SUDMEIER, P.C.

BY:

  
EDWARD F. HENRY

EFH/

Cc: Stella Runde, Dubuque County Budget Director  
Harley Pothoff, Dubuque County Supervisor  
Ann McDonough, Dubuque County Supervisor  
Wayne Kenniker, Dubuque County Supervisor  
Mick Michel, Dyersville City Administrator