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June 13, 2007

Ivory Smith, Jr.
3618 North 13th Street
Milwaukee, WI 53206

RE: Ivory Smith, Jr.
C.I. File No: 07-S-171

Dear Mr. Smith:


We have received your claim in the amount of \$2,439.51, relating to damage sustained to your vehicle on May 14, 2007 when a limb from a City tree fell on it while parked at 4267 West Carter Place.

Our investigation reveals the tree limb in question fell from a live sound tree that showed no signs of external decay. The Forestry Section investigation did not indicate any vast amount of termites at the loss site. Since it appears your loss occurred during windy conditions and there was no way the Forestry Section could have foreseen or prevented this loss, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:beg
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