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July 27, 2022

To the Honorable Common Council
of the City of Milwaukee
Room 205- City Hall

RE: Communication from OPTUM on behalf of MAGI INVESTMENTS, LLC
C.I. File No. 1061-2022-644; Optum File No. TPCS-9805607-14735332

Dear Sir or Madam:

This notice of claim was filed on May 19, 2022. Wisconsin Statute 893.80(1d)(a) requires that a notice of the circumstances of the claim be served within 120 days after the happening of the event giving rise to the claim.

Optum, subrogee for Magi Investments, LLC., alleges that on September 3, 2021, the City of Milwaukee Fire Department(MFD) failed to use an elevator key in the Knox box, when it responded to a sounding alarm regarding an elevator entrapment at 224 E. Mason Street. Optum submitted a damage claim on behalf of their insured for \$6,157.50.

The Milwaukee Fire Department(MFD) records indicated that on September 3, 2021, at 7:51am, MFD was dispatched to 224 E. Mason Street, for a sounding alarm. Upon arrival, MFD was escorted to the second floor of the apartments to investigate and it was determined that there was no audible alarm sounding, and there was no cause for the alarm.

MFD proceeded to leave the location and traveled a few blocks, and at approximately 8:07am, MFD was dispatched back to the location for a person that was trapped inside the elevator. MFD returned to the location and was escorted to the subject elevator located on the first floor. MFD opened the exterior door of the elevator with the elevator keys, and found that the elevator car was stuck between both first and second floors.

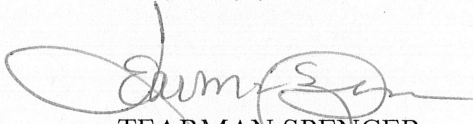
In conclusion, MFD exhausted all conventional options, including but not limited to; opening the interior door from the floor above, securing the power to the elevator car from the top side power source, and attempted to find the main elevator power shut off in the elevator control room, MFD determined that an edraulic spreader tool was needed to facilitate removal, and in order to gain entry to assist the person that was trapped inside of the elevator.



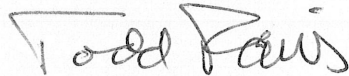
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It is our view that the Milwaukee Fire Department responded accordingly, and acted within the scope of their authority when they used forced entry to gain access to a person that was trapped inside the elevator.

Very truly yours,



TEARMAN SPENCER
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STF/MG/cdr

Enclosures

1061-2022-644/281135