

**CITY OF MILWAUKEE****SETTLEMENT DRAFT REQUEST****Uninsured Motorist Claim Under Sec. 62.67 Stats.****CASE NAME: Dylanger Flenniken****DATE OF LOSS: 07/03/98****C.I. FILE NO: 01-L-95****CCM FILE NO: 95-01538****AMOUNT REQUESTED: \$4,700.00****PAYABLE TO: American Family Insurance Group****REASON FOR REQUEST:**

City of Milwaukee Police Officer Dylanger Flenniken was in the scope of his employment when he and another officer confronted two individuals who were causing a disturbance from their car which was in the parking lot of a Citgo Gas Station at the intersection of Sherman Boulevard and Capitol Drive. Officer Flenniken exited his police vehicle and as he approached the individuals in the parked car, the driver suddenly attempted to flee the scene. As the individual attempted to drive away, Officer Flenniken was struck by the vehicle. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee under § 62.67, Stats. and the City of Milwaukee's Uninsured Motorist Self-Insurance Plan.

Officer Flenniken sustained injuries to his left shoulder, left ankle and right hip. The claimed medical expenses and lost wages total \$9,178.31.

Officer Flenniken had a personal insurance policy with American Family Insurance Company and after the policy was received and reviewed, it was determined that the coverage provided to Officer Flenniken should be pro rated, with the City of Milwaukee being responsible for one-fifth of Officer Flenniken's claim. Accordingly, the amount of this settlement request represents the City of Milwaukee's pro rated share of the \$23,500.00 settlement.

**DATE: 10/02/02****BY: Nick G. Kotsonis****Nick G. Kotsonis****Crivello, Carlson & Mentkowski, S.C.**