

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUESTUninsured Motorist Claim Under Sec. 66.189 Stats.CASE NAME: Risa CainDATE OF LOSS: 11/06/96C.I. FILE NO: 97-L-3CCMS FILE NO: 95-96-037AMOUNT REQUESTED: \$20,000.00PAYABLE TO: Risa and Myron Cain and McCarty, Lenz & Tolkan, S.C. Trust AccountREASON FOR REQUEST:

City of Milwaukee Police Officer Risa Cain was in the scope of her employment and operating a City of Milwaukee police vehicle that was traveling eastbound on West North Avenue. As the police vehicle approached the intersection of North 11th Street and West North Avenue, the uninsured motorist, who was traveling southbound on North 11th Street, disregarded the stop sign and struck the police vehicle causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee under Sec. 66.189, Stats. and the City of Milwaukee's Uninsured Motorist Self-Insurance Plan.

Officer Cain sustained injuries to her neck, back and head. The claimed medical expenses and lost wages total \$15,919.21. One of the treating doctors has also indicated that the claimant has a chronic cervical syndrome as a result of the motor vehicle accident. Pursuant to agreement with the claimant, this will be a "Loy" type settlement which will allow the claimant to proceed against American Family Insurance, the personal insurer whose coverage is excess over that provided by the City.

DATE: 02/19/01BY: Nick G. Kotsonis

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