

March 29, 2004

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from Matthew Settles
C.I. File No. 04-L-30

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendation.

Claimant, Matthew Settles, 4327 North 28th Street, Milwaukee, WI 53216 alleges that on January 9, 2004 his vehicle was towed from 2629 West Roosevelt Drive in the City of Milwaukee. He claims damages in the amount of \$3,000,000.00.

Our investigation reveals that the claimant's 1985 Chevrolet truck was properly towed for Illegal Parking/Unpaid Citation on January 9, 2004. The tow lot records indicate the vehicle was in a state of substantial disrepair. The tow lot records note Mr. Settles was sent a letter on January 9, 2004 regarding the impending destruction of the vehicle. The letter was sent to 4834 West Fond du Lac Avenue, which is the address of record with the Wisconsin Department of Motor Vehicles. The tow lot records also note Mr. Settles came to the tow lot on January 22, 2004 to

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view his vehicle and remove personal items. He indicated that he would return on the following day to retrieve the vehicle. He did not return to the tow lot. The vehicle was recycled in accordance with applicable laws; therefore, the City cannot accept liability for this loss. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1044-2004-519-79356