

August 2, 2004

Re: Tristam Drager  
C.I. File No: 04-S-215

CITY OF MILWAUKEE  
2004 AUG -3 PM 3:01  
RONALD G. LEONHARDT  
CITY CLERK

Milwaukee City Clerk  
Attn: Claims  
Room 205  
200 E. Wells St.  
Milwaukee WI 53202

Dear Sir or Madame,

In response to your letter of 7/13/04, I would like to appeal the decision to NOT reimburse me for the damage to my car suffered on 6/11/04 (see the attachment).

I have re-visited the site of the incident, and there is a manhole cover on southbound 35<sup>th</sup> St., midway between St. Paul and Michigan, and about four feet to the east of the curb. This manhole cover was ajar from its base when I struck it.

Perhaps the cover was knocked back into place when I struck it; I really don't know. I was on my way to work and after my tire was destroyed I had to pull over, change the tire, and then hurry on my way to get to work. I didn't have a convenient way to call the City, nor would I have known whom to call.

I believe that the City is responsible for the damage to my vehicle, and I would like to pursue reimbursement for \$190.

Sincerely,



Tristam Drager  
8222 Jackson Park Blvd  
Wauwatosa WI 53213  
Cell Phone #: 414-510-7778

Attachments

CITY OF MILWAUKEE  
RECEIVED  
2004 AUG -4 PM 3:03  
CITY CLERK

June 23, 2004

CITY OF MILWAUKEE  
RECEIVED

'04 JUN 25 PM 2:12

Milwaukee City Clerk  
Attn: Claims  
Room 205  
200 E. Wells St.  
Milwaukee WI 53202

OFFICE OF  
CITY ATTORNEY

Dear Sir or Madame,

I would like to submit a claim for damages suffered to my car on June 11, 2004. Here are the specifics:

- At approximately 10:00 AM I was traveling south in the inner lane on N. 35<sup>th</sup> St
- Roughly midway between Michigan and St. Paul Ave, a manhole cover was sticking up from its base by several inches
- There was a D.P.W. truck parked about 40 feet farther south of the manhole cover, although there were no signs or barriers or indications that the area was being worked on
- I did not have enough time to completely avoid the protruding manhole cover, and while my right front tire struck the cover a glancing blow, the right rear tire hit the cover full-on
- The impact immediately tore a five-inch gash in the sidewall of the right rear tire, and bent the rim in two places.
- The tire was destroyed, and the rim is unusable. Since the tire had @38,000 miles on it, its estimated value is only \$10. A replacement rim cost \$80.
- The attached invoices shows the costs of the repairs and replacement parts. I'm looking to be compensated for:
  - \$10 (tire)
  - \$ 80 (rim)
  - \$ 20 (mounting/balancing/new valve stem: I took the cost for four tires and divided by four)
  - \$80 (wheel alignment)
  - **\$190 total**

Please let me know if I need to take any further steps.



Sincerely,

Tristam Drager  
8222 Jackson Park Blvd  
Wauwatosa WI 53213  
Cell Phone #:414-510-7778

OFFICE OF  
CITY ATTORNEY  
MILWAUKEE, WI 53202  
200 E. WELLS ST.  
MILWAUKEE, WI 53202

# Dependable Auto Service

8107 West North Avenue  
 Wauwatosa, WI 53213  
 414-257-3160

DATE	INVOICE #
6/18/2004	13091

Drager, Tristan  
 8222 Jackson Park Blvd  
 Wauwatosa Wi 53213

HOME PHONE: 771-7778  
 WORK #/CELL #: 510-7778

YEAR	MAKE/MODEL	VIN #	LICENSE #	MILEAGE
1998	Mazda Protege	JM1BC1421W0235968	VGB 763	38795

ITEM CODE	QTY	DESCRIPTION	AMOUNT
56064711	1	Complaint: Install Tires, Exhaust Leak, Flush coolant used wheel	80.00T
Balance Tire	4	Rim bent on right rear tire. Replace rim. Mount and balance all tires. Customer supplied tires.	40.00T
242AF	1	1Gallon Anti Freeze	10.00T
Flush		Coolant Flush	39.85T
31374	1	gasket	5.89T
31596	1	gasket	14.67T
46993	1	resonator pipe	154.37T
LABOR	1	Service performed: Replace resonator pipe assembly.	57.00T
		NOTE: There is also a slight exhaust leak up near the exhaust manifold.	
		TAX	22.50

*\*Hubcap confirmed*

Thank you for your business.	<b>Total</b>	<b>\$424.28</b>
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Statement of Disclaimer  
 The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

