

# CITY OF MILWAUKEE

Form CA-43

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October 1, 2003

To the Honorable Common Council  
of the City of Milwaukee  
Room 205, City Hall  
200 East Wells Street  
Milwaukee, WI 53202

Re: CCFN 030763 (Resolution authorizing settlement and cancellation of the City of Milwaukee's subrogation claim against Edward M. Stenzel for payments made pursuant to the City's Basic Health Plan.)

Dear Council Members:


Enclosed please find a resolution authorizing the release of a subrogation claim against Edward M. Stenzel in exchange for a settlement payment of \$9,203.07.

Mr. Stenzel filed a personal injury lawsuit for injuries suffered while operating a motorcycle when an automobile struck him on July 22, 2001. The City has a claim against him for medical payments under the City's Basic Health Plan in a total amount of \$13,804.60.

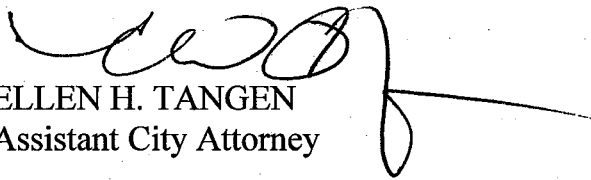
As noted in the enclosed letter from counsel for WPS, the claims administrator for the Basic Health Plan, the plaintiff was moving at the time of the impact, there would likely be some contributory negligence, so it is doubtful that a jury would award the entire amount of the medical expenses.

Under these circumstances, WPS has recommended authorization to accept the amount of \$9,203.07 in settlement of the City's claim. We recommend adoption of this resolution.

Very truly yours,



GRANT V. LANGLEY  
City Attorney



ELLEN H. TANGEN  
Assistant City Attorney

Enclosures

cc: Michael Tobin (w/encl)  
Mark Colbert, WPS (w/encl)

EHT: eht

1049-2003-3077: 72702