

Eric M. Johnson
4472 N. 39th St
Milwaukee, WI 53209
(414) 444-0281 (home)
(414) 445-5353 (work)
(414) 445-3388 (fax)
emjssi@aol.com

CITY OF MILWAUKEE
RECEIVED

2009 JUN 24 PM 4:48

OFFICE OF
CITY ATTORNEY

June 24, 2009

HAND DELIVERED

City of Milwaukee
ATTN: Office of the City Attorney
200 E. Wells St., Suite 800
Milwaukee, WI 53202-3551

Re: C.I. File No: 08-S-565

Dear Mr. Langley:

I am in receipt of your letter (attached) dated June 15, 2009 which is a response to my letter (attached) dated July 1, 2008.

I formally request a hearing to appeal your decision in the above referenced matter.

Thank you for your consideration of this very important matter.

Sincerely,
Claimant


Eric M. Johnson
Milwaukee Resident

Cc Alderman Willie Ward, 7th District

RONALD D. LEONHARDT
CITY CLERK

2009 JUN 25 PM 3:37

CITY OF MILWAUKEE

OFFICE OF
CITY ATTORNEY

2009 JUN 26 PM 3:41

CITY OF MILWAUKEE
RECEIVED

Eric M. Johnson
4472 N. 39th St
Milwaukee, WI 53209
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emjssi@aol.com

CITY OF MILWAUKEE
RECEIVED

2009 JUN 24 PM 4:48

OFFICE OF
CITY ATTORNEY

July 1, 2008

HAND DELIVERED

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

To Whom It May Concern:

The details of my claim are as follows:

1. On **June 4, 2008** at approximately **6pm**, I was traveling southbound on Lisbon Avenue in the City of Milwaukee
2. I was traveling at the posted speed of **30MPH**
3. Within **10 to 12 feet north** of the intersection of **Lisbon Avenue and North Avenue**, I struck the pavement that surrounds a City of Milwaukee Communication Manhole (see attached pictures) causing severe damage to the front-end of my vehicle (1998 Cadillac Seville SLS) and the right-front wheel
4. It appears that the manhole may have been set too low creating a **2 inch lip**
5. According to my discussions with Tom Pesch the President of Milwaukee General Construction Co, Inc. a long time concrete paving company that does business for the City of Milwaukee, a 2 inch difference between the height of a pavement and the height of a manhole is considered unacceptable according to Department of Public Works' specification
6. I assert that the improper setting of the manhole caused the 2 inch lip that damaged my vehicle
7. It appears the City had notice of this problem because this intersection is scheduled for reconstruction in 2008
8. My claim is for **\$ 1,246.79** (see itemize list and supporting vendor receipts)

Thank you for your consideration of this very important matter.

Sincerely,
Claimant

Eric M. Johnson
Milwaukee Resident

Cc Alderman Willie Ward, 7th District

City of Milwaukee CLAIM

Eric M. Johnson
4472 N 39th St
Milwaukee, WI 53209
(414) 444-0281

<u>Vendor</u>	<u>Item</u>	<u>Amount</u>
Carx 13190 W Capitol Dr Brookfield, WI 53005 (262) 783-4226	Replace and repair Tie Rod	467.03
Carx 13190 W Capitol Dr Brookfield, WI 53005 (262)-783-4226	Replace and repair right-front Wheel Bearing	470.19
Pops and Sons Tire 5301 W. Lisbon Ave Milwaukee, WI 53210 (414) 449-5811	New tire (D255 35R20)	120.00
Competition Cycle 5081 N. 124th St Butler, WI 53007 (262) 373-1122	Repair dent in Wheel Rim	73.57
Self	Loss time from work	<u>116.00</u>
		<u><u>\$1,246.79</u></u>



CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD, WI 53005
(262)783-4226

Customer ID: 4913025505
 Name: ERIC JOHNSON
 Address: 4472 N 39
 Address 2:
 City, State, Zip/Postal Code: MILWAUKEE, WI, 53209
 Home Phone: (414) 444-0281
 Work Phone: (414) -
 Other Phone: () -
 Tax Exempt #:

Year: 98
 Make: CADILLAC
 Model: SEVILLE SLS
 Lic No: UCA717
 VIN: 1G6KS54Y6WU909865
 Color:
 Engine: V8-281ci 4.6L F
 Mileage In: 166481

Date/Time: 06/12/08 14:15:01
 Estimate #: 79661
 Invoice #: 48531
 Key Tag:
 PO Number:
 Email Address:
 Fleet/Wholesale: N

Mileage Out: 166481

Service comments:
 CHECK BRAKE/SHAKING WHEN BRAKING
 HAS WHEEL LOCK KEY

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
------	--------	-----	-----	-------------	-------	-------	-------

REVISED ESTIMATE AUTHORIZATION(S):

AUTH. BY: CONTACT: ERIC JOHNSON ADD. AMT: 495.04
 DATE: 06-12-08 TIME: 11:06 AM PREVIOUS EST: 0.00 REV EST: 495.04

Work Authorized:

Motor vehicle trade practices are regulated by Chapter ACTP 132, Wis Adm. code, administered by the Bureau of Consumer Protection, Wisconsin Dept of Agriculture and Consumer Protection, P.O. Box 8911 Madison, Wisconsin 53708-8911

ALUMINUM WHEELS NEED TO BE RETORQUED AFTER 50 MILES PLEASE CALL FOR RESERVATION

THANK YOU FOR YOUR BUSINESS
 MANAGER DALE LECUS SR.
 [262] 783-4226

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
BRAKES							
1	BRIF	RA		FREE BRAKE INSPECTION	0.00	0.00	0.00
				OVERALL	0.00		
2	56641R	S2	F	RED ROTOR	FREE	0.00	0.00
				SAVINGS (\$83.00)			
				TOTAL FRONT BRAKES:		0.00	
				TOTAL BRAKES:		0.00	

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
STEERING/CHASSI							
1	*45A0798	RC		[TIE ROD END] OUTER; 2	103.95	44.50	148.45
	98-04						
1	*45A2077	RC		[TIE ROD END] INNER; 2	131.82	89.99	221.81
	98-04						
				TOTAL STEERING/CHASSI:		370.26	

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
OTHER							
1	AL4	RA		4 WHEEL ALIGNMENT	0.00	69.99	69.99
				TOTAL OTHER:		69.99	

*** Customer Wishes To Discard Old Parts ***

RA NECESSARY COMPONENT OF WORK
 RC REQUIRED-PART NO LONGER PERFORMS INTENDED FUNCTION
 S2 SUGGESTED-TO ADDRESS A CUSTOMER'S NEED OR REQUEST

CREDIT CARD #: XXXX-XXXX-XXXX-6515

SEE NEXT PAGE



CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD,WI 53005
(262)783-4226

Customer ID: 4913025506
 Name: ERIC JOHNSON
 Address: 4472 N 39
 Address 2:
 City,State,Zip/Postal Code: MILWAUKEE, WI, 53209
 Home Phone: (414) 444-0281
 Work Phone: (414) -
 Other Phone: () -
 Tax Exempt #:

Year: 98
 Make: CADILLAC
 Model: SEVILLE SLS
 Lic No: UCA717
 VIN: 1G6KS54Y6WU909865
 Color:
 Engine: V8-281ci 4.6L F
 Mileage In: 166481

Date/Time: 06/12/08 14:15:01
 Estimate #: 79661
 Invoice #: 48531
 Key Tag:
 PO Number:
 Email Address:
 Fleet/Wholesale: N

Mileage Out: 166481

Service comments:
 CHECK BRAKE/SHAKING WHEN BRAKING
 HAS WHEEL LOCK KEY

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
------	--------	-----	-----	-------------	-------	-------	-------

APPROVAL # : 06509A
 TICKET # : 0006/

CAR-X AUTO SERVICE CENTER
 12455 WEST CAPITOL DR
 BROOKFIELD, WI 53005
 262-783-4226

Sale

ID: 75394819 Ref #: 0006
 06/12/08 14:15:50
 Batch #: 357

VISA

XXXXXXXXXXXX6515

Appr Code: 06509A Inv#: 000006

Total: \$ 467.03

Customer Copy
 THANK YOU!!

PAY AMOUNT
 VISA 467.03
 TECH: 022110-0.00 D. Dustin

SHOP SUPPLY 30.77
 SUB TOTAL 471.02
 DISCOUNT (26.65)
 SALES TAX 22.66
 GRAND TOTAL 467.03

INVOICE INVOICE CAR-X TIRE & AUTO SERVICE INVOICE
 CUSTOMER COPY ADISON,WI. 53708-8911
 AGRICULTER, TRADE AND CONSUMER PROTECTION,
 P O BOX 8911



CAR-X TIRE & AUTO SERVICE
13190 WEST CAPITOL DRIVE
BROOKFIELD, WI 53005
(262)783-4226

Customer ID: 4913025505
 Name: ERIC JOHNSON
 Address: 4472 N 39
 Address 2:
 City, State, Zip/Postal Code: MILWAUKEE, WI, 53209
 Home Phone: (414) 406-6900
 Work Phone: (414) -
 Other Phone: () -
 Tax Exempt #:

Year: 98
 Make: CADILLAC
 Model: SEVILLE SLS
 Lic No: UCA717
 VIN: 1G6KS54Y6WU909865
 Color:
 Engine: V8-281ci 4.6L F
 Mileage In: 167392

Date/Time: 06/30/08 15:10:16
 Estimate #: 80168
 Invoice #: 48772
 Key Tag: 0
 PO Number:
 Email Address:
 Fleet/Wholesale: N

Mileage Out: 167392

Service comments:
 SEE LIST

Qty.	Part #	RFR	Loc	Description	Parts	Labor	Total
------	--------	-----	-----	-------------	-------	-------	-------

REVISED ESTIMATE AUTHORIZATION(S):

AUTH. BY:	CONTACT: ERIC JOHNSON	ADD. AMT: 470.19
DATE: 06-30-08	TIME: 3:07 PM	PREVIOUS EST: 0.00
		REV EST: 470.19

Work Authorized:

Motor vehicle trade practices are regulated by Chapter ACTP 132, Wis Adm. code, administered by the Bureau of Consumer Protection, Wisconsin Dept of Agriculture and Consumer Protection, P.O. Box 8911 Madison, Wisconsin 53708-8911

ALUMINUM WHEELS NEED TO BE RETORQUED AFTER 50 MILES PLEASE CALL FOR RESERVATION

THANK YOU FOR YOUR BUSINESS
MANAGER DALE LECUS SR.
[262] 783-4226

STEERNG/CHASSI

1	*HUB	RA	RF	BEARING	223.44	115.70	339.14
1	**HUB	RA	RF	Discount On *HUB	(10.00)	0.00	(10.00)
	TOTAL STEERNG/CHASSI:			329.14			

OTHER							
1	TUD	RA		ENGINE DIAGNOSIS/PER	0.00	89.00	89.00
	TOTAL OTHER:			89.00			

*** Customer Wishes To Discard Old Parts ***

RA NECESSARY COMPONENT OF WORK

CREDIT CARD #: XXXX-XXXX-XXXX-6515
 APPROVAL # : 01096A
 TICKET # : 0009/

CAR-X AUTO SERVICE CENTER
 12455 WEST CAPITAL DR
 BROOKFIELD WI 53005
 262-783-4226

Sale

ID: 75394819 Ref #: 0009
 06/30/08 15:10:36
 Batch #: 372

VISA

XXXXXXXXXXXX6515

Appr Code: 01096A Inv#: 000009
 Total: \$ 470.19

PAY	AMOUNT	SHOP SUPPLY	29.23
VISA	470.19	SUB TOTAL	447.37
		SALES TAX	22.82
		GRAND TOTAL	470.19

Customer Copy
 THANK YOU!!

TECH: 014387-0.00 K. Faken

AGRICULTER, TRADE AND
 CONSUMER PROTECTION,
 P O BOX 8911
 MADISON, WI. 53708-8911

Pop's and Sons Tire
5301 W. Lisbon Ave
Milwaukee, 53210

RECEIPT

DATE	<u>9/21/08</u>	No.	<u>105609</u>
RECEIVED FROM	<u>one hundred twenty five</u>		<u>\$20</u> DOLLARS
<input type="radio"/> FOR RENT	<u>12553520 / Tire</u>		
<input type="radio"/> FOR			
ACCOUNT		<input checked="" type="radio"/> CASH	FROM _____ TO _____
PAYMENT		<input type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	BY <u>44958 JK</u>

note
6-11-08



COMPETITION CYCLE, INC.

5081 N. 124TH STREET
BUTLER, WI 53007
(262) 373-1122



Quality Products & Service Since 1967

CUSTOMER'S ORDER NO.		PHONE			DATE	
		414-445-1411			6-6-08	
NAME Woody Jones						
ADDRESS (for Eric M. Johnson)						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
<i>[Signature]</i>	X					
QTY.	DESCRIPTION				PRICE	AMOUNT
2	Fix Dents					70.00

COMPETITION
CYCLE INC
5081 N 124 TH ST.
BUTLER WI, 53007
PHONE 262 373-1122
THANK YOU

06/12/08 10:31AM 01
000001 #7151

CS LABOR 11: \$70.00
MDSE ST \$70.00
TAX1 \$3.57

ITEMS 10
***TOTAL \$73.57
CASH \$100.00
CHANGE \$26.43

[Handwritten signature]
6-12-08
[Handwritten signature]

TAX 3.57

TOTAL 73.57

ns and returned goods must be accompanied by this bill.

NEBS To Reorder:
800-225-6360 or nebs.com

Thank You



