

June 29, 2004.

RE Michalynn Orłowski

C I File No 04-S-101

Dear Sirs Mr Langley + Mr. Carini

Yes, I want to appeal your decision to deny my claim when I was hit when stopped at a light by a city snow blower

I will most likely have my attorney present. Will he be able to question Can we subpoena all involved?

Question?

Everytime Mr. Carini called me the accident "story" changed. Why because each story did not make sense nor go with the evidence as he interviewed the city workers

For Months I was told to hit the snow blower

and then the changed versions were given, until the final story.

I can't wait to tell the truth!

Eagerly Waiting for the Appeal Date

Michalynn Orłowski

4648 N. Elm Tree Rd

Glendale, WI 53209

P.S. Why did it take All this time for the worker to admit he hit my car He was Rude, would not talk nor apologize, just walk AWAY!! The Police officer said the worker told (Police) I hit him!



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Date July 2, 2004

Number of pages 3 (including cover page)

To: City
Name Attorney Grant Langley
Investigator Steven Corino

From:
Name Michalynn Orłowski

Company City of Milw

Company CI File # 04-S-101

Telephone 286-2601

Telephone 962-0374

Fax 286-8550

Comments

CITY OF MILWAUKEE
RECEIVED
CITY ATTORNEY
04 JUL 12 AM 10:58

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CITY OF MILWAUKEE
2004 JUL -7 PM 3:37
RONALD L. LEONARDI
CITY CLERK

Dear Sir,

March 23, 2004

On February 2, 2004 at 1:50pm I stopped at a red light on Green Bay Road. I was in the left turn lane, ready to take the ramp onto Silver Spring Dr. (west). When I stopped, I saw a worker snow blowing the sidewalk on the East side of the bridge. No other cars were present. When the light changed, I put in my clutch and shifted my car into gear. Before I even moved at ALL or even stepped on the gas, I heard a loud grinding noise on the right side of my car. As I turned to look I was shocked to see it was the worker with the snow blower grinding right against my right rear wheel and fender. When I put on my hazard lights and got out of my car, the worker just backed up, then went around my car and kept going like nothing happened. He would not even acknowledge me or what he just did. I had to walk half a block to the city truck and Corey Tipton from Sewer Maintenance 286-3427 helped me. He held the traffic back so I could move my car from the left turn lane across the other two lanes and out of traffic. He was a witness that my car was standing still.

I was able to obtain the worker's name once the police and the City of Milwaukee accident inspector arrived. The city worker that drove the snow blower into the side of my car was MICHAEL CASBERG, born 7/13/50, home phone 643-8618 work phone 286-3786. At the time of the accident, Mr. Casberg had on sunglasses, a brimmed hat, and ear protectors. Mr. Casberg gave three different responses to the accident. First, he said he did not see my car! My fire red car was standing still 3 lanes away from him, hard to believe he didn't see this car! Second, He said Well you had a green light, The light did turn green but he hit me before I could even move! Third, He said I hit him. Both the police and the city accident inspector said the only way I could have hit him (based on my car's damage) was if I was traveling sideways. My car was damaged only by the right rear wheel and fender where the snow blower made contact.

I believe Mr. Casberg did not have control of the snow blower as he went from snow covered sidewalks to the snowless street. He was going too fast for the change in the surfaces, lost control, and negligently hit my car. I was particularly upset with Mr. Casberg's attitude. He acted like nothing happened, would take no responsibility for his actions, and was going to leave the scene, but the Glendale police arrived just in time as did the City of Milwaukee accident inspector, Mr. Brian Field. Mr. Field took pictures of my car. I also took pictures if needed. The Glendale police officer that helped me and did file a report was Officer Erik Johnson, phone 228-1100.

I took my car to the body shop for an estimate of damages with in 2 hours. I am enclosing the estimate and the cards of Officer Johnson and Inspector Brian Field *Police Report.*

I, Michalynn Orlowski, am a MPS Speech Pathologist working on the job for 26 years. I worked very hard and saved for 14 years to buy my DREAM car. Not easy to do on a public school teacher's salary! I feel hurt, mad, abused, by Mr. Casberg's negligent damage to my car. I am filing this claim for reimbursement for the negligent damage to my car. I truly appreciate any help in getting this matter resolved.

Sincerely Hoping for Justice

Michalynn Orlowski *Michalynn Orlowski*
4648 N. Elm Tree Road

Glendale, WI 53209 Home 962-0374, Work 393-5300

RECEIVED
MILWAUKEE
CITY
MAR 23 2004
ST. MARY'S
CITY

Date printed: 03/26/04 16:03:02

Page 1

GLENDALE POLICE DEPARTMENT
5909 N MILWAUKEE RIVER PARKWAY
GLENDALE, WISCONSIN 53209
(414)228-1753

INCIDENT REPORT

Incident #: 04-002757

When Reported: 13:21:18 02/06/04

How Received: Telephone

Agency: GLENDALE POLICE DEPARTMENT

Nature: Accident Damage

Offense Codes: ACC Accident

Location of Incident: W SILVER SPRING DR & N GREEN BAY AV
GLENDALE, WI

Disposition: Inactive on 02/06/04

Occurred Between 13:21:08 02/06/04 and 13:21:08 02/06/04

Responsible Officer: E JOHNSON

Supervisor:

NARRATIVE:

City of Milwaukee DPW worker ran snowblower (walk behind) into right side of auto in the n/b left turn lane on Green Bay Ave. to w/b Silver Spring Dr. Driver stated she was stopped waiting for the left turn arrow when she heard the blades strike her vehicle. DPW supervisor responded-civil matter. DPW employee: Michael C. CASBEERG, M/W, 07-13-50. 643-8618, 286-3786.

Date printed 03/26/04 16:03

Page: 2

Incident #: 04-002757

COMPLAINANTS/REPORTING PERSONS:

NAME: ORLOWSKI, MICHALYNN K. Name Number: 38829
Race: W Sex: F DOB: 05/18/50 Name Description: Complainant
Height: ' " Weight: 0 Hair: Eyes:
Address: 4648 N ELM TREE RD, GLENDALE, WI 53217
Home Phone: (414)962-0374 Work Phone: () -



MILWAUKEE PUBLIC SCHOOLS
 Division of Exceptional Education
 and Supportive Services

Michalynn K. Orlowski, M.S., CCC-SPL
Speech/Language Pathologist

Carleton School
 4116 West Silver Spring Drive
 Milwaukee, WI 53209

³⁹³⁻⁵³⁰⁰
 (414) 461-0638
 Voice Mail (414) 438-3694, #8109#



Brian Field
 Driver Training Instructor

Department of Public Works
 Operations Division
 Buildings and Fleet Services
 2142 W. Canal St.
 Milwaukee, WI 53233

(414) 286-2708
 FAX (414) 286-8514
 driver@mpw.net

**POLICE OFFICER
 ERIK JOHNSON**

I earned a Bachelors Degree in Criminal Justice in 1993 and began my career with the Glendale Police Department in 1994. I am currently, or have served as, a Firearms Instructor and School Liaison Officer. I enjoy the outdoors, mountain biking, and downhill skiing.

PERSONAL MESSAGE

"Teamwork is very important. Be a team player when you are in school, with your friends, and in your family life. Respect others".

Glendale Police Department
 5909 N. Milwaukee River Pkwy.
 Glendale, Wisconsin 53209
 Emergency Dial 9-1-1
 Non Emergency (414) 228-1100
 Police Administration (414) 228-1753

SPONSORED BY:
 Glendale Crime Prevention Unit
 Glendale D.A.R.E. Program
 (414) 228-1741

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BODYWORKS
 BY
CONCOURS
 COLLISION REPAIR & REFINISHING
 Steven Schulz

(414) 290-1600 Fax: (414) 228-1697
 1711 W. Florist Ave., Milwaukee, WI 53209

Date: 2/6/2004 03:51 PM
 Estimate ID: 2467
 Estimate Version: 0
 Preliminary
 Profile ID: BMW

Body Works by Concours

1711 W Florist Ave Milwaukee, WI 53209
 (414) 290-1600
 Fax: (414) 228-1697

Damage Assessed By: Steven Schulz

Deductible: UNKNOWN

Owner Michallyn Orłowski
 Address: 4648 N Elmtree Road Glendale, WI 53209
 Telephone: Work Phone: (414) 393-5350 Home Phone: (414) 962-0374

Mitchell Service: 911325

Description: 2000 BMW 323 Ci
 Body Style: 2D Cpe
 VIN: WBABM3346YJN60945
 Mileage: 78,631
 Color: Red
 Options: ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER STEERING, POWER WINDOWS
 POWER DOOR LOCKS, POWER PASSENGER SEAT, TILT STEERING WHEEL, CRUISE CONTROL
 ELECTRIC DEFOGGER, LEATHER SEATS, TRACTION CONTROL/ELECTRONIC
 PREMIUM SOUND SYS., POWER DRIVER SEAT, AM-FM STEREO/CDPLAYER(SINGLE)

Vehicle Production Date: 7/99
 Drive Train: 2.5L Inj 6 Cyl 5M RWD
 License: SAY BMW WI

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
1	100548	BDY	REMOVE/REPLACE	WHEEL			
				WHEEL	36 11 1 094 505	352.00	0.3
2	102314	BDY	REMOVE/INSTALL	ROOF			
				R ROOF MOULDING	Existing		0.3*
				SIDE BODY			
3	102342	REF	REFINISH	R QUARTER PANEL OUTSIDE			C 2.4
4	102357	BDY	REMOVE/INSTALL	R ROCKER MOULDING			0.5
5	102359	BDY	REMOVE/INSTALL	R REVEAL MOULDING			0.4
6	107047	BDY	REMOVE/INSTALL	R QUARTER PANEL MLDG			0.2
7	102369	BDY	REPAIR	R QUARTER OUTER PANEL	Existing		3.0*#
				QUARTER GLASS			
8	103404	BDY	REMOVE/REPLACE	R LWR QTR GLASS MOULDING	51 36 8 227 686	39.00	0.6*
				REAR LAMPS			
9	101848	BDY	REMOVE/INSTALL	R REAR OTR COMBINATION LAMP			0.4
				REAR BUMPER			
10	107766	BDY	REMOVE/INSTALL	REAR BUMPER ASSY			0.8
				ADDITIONAL OPERATIONS			
11	933002	REF	ADD'L OPR	CLEAR COAT			
12			ADD'L COST	PAINT/MATERIALS			1.2*
13			ADD'L COST	HAZARDOUS WASTE DISPOSAL		144.00 *	
14	900500	REF *	ADD'L LABOR OP	CORROSION PROTECTIVE PRIMER	New	7.92 *	0.3*
15	900500	BDY *	ADD'L LABOR OP	RUST COATING	New		0.3*
16	900500	REF *	ADD'L LABOR OP	MASK FOR OVERSPRAY	New	3.00 *	0.2*
17	900500	REF *	ADD'L LABOR OP	COLORSAND AND BUFF	Existing	5.50 *	0.8*
18	900500	REF *	ADD'L LABOR OP	COLOR TINT	Existing		0.5*
19	900500	REF *	ADD'L LABOR OP	REFINISH/BLEND RIGHT ROOF RAIL	Existing		0.6*
20	900500	BDY *	REMOVE/REPLACE	MISC. CLIPS/FASTENERS/HARDWARE	New	15.00 *	0.0*
21	900500	MCH *	ADD'L LABOR OP	MOUNT & BALANCE TIRE	Existing		0.5*

ESTIMATE RECALL NUMBER: 2/6/2004 15:51:49 2467

Mitchell Data Version:
 UltraMate Version:

FEB_04_A
 5.0.021

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Date: 2/ 6/2004 03:51 PM
 Estimate ID: 2467
 Estimate Version: 0
 Preliminary
 Profile ID: BMW
 New 2.00 * INC*
 New 2.00 * INC*

22 900500 MCH* ADD'L LABOR OP WHEEL WEIGHTS
 23 900500 MCH* ADD'L LABOR OP VALVE STEM

* - Judgement Item
 # - Labor Note Applies
 C - Included in Clear Coat Calc

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	6.8	44.00	0.00	0.00	299.20 T	Taxable Parts	418.50
Refinish	6.0	44.00	0.00	0.00	264.00 T	Sales Tax @ 5.600%	23.44
Mechanical	0.5	98.00	0.00	0.00	49.00 T	Total Replacement Parts Amount	441.94
		Taxable Labor			612.20		
		Labor Tax @ 5.600 %			34.28		
Labor Summary	13.3				646.48		
III. Additional Costs					Amount	IV. Adjustments	Amount
Taxable Costs					151.92	Customer Responsibility	0.00
Sales Tax @ 5.600%					8.51		
Total Additional Costs					160.43		
						I. Total Labor:	646.48
						II. Total Replacement Parts:	441.94
						III. Total Additional Costs:	160.43
						Gross Total:	1,248.85
						IV. Total Adjustments:	0.00
						Net Total:	1,248.85

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.

Please note [↑] MCO.