

CITY OF MILWAUKEE

2006 APR 28 AM 8:55

RONALD D. LEONHARDT  
CITY CLERK

**Theodore M Uribe Jr.**  
9001 West Burdick Avenue  
Milwaukee, Wisconsin 53227  
414-719-0463

April 26, 2006

To: Grant Langley / City Attorney  
Milwaukee City Clerck  
200 East Wells St.  
Room 205  
Milwaukee, WI 53202

Re; C.J.File no. 06-S-62

I am appealing the City Attorneys decision to deny the claim on my vehicle, scratched by the City forestry workers at 9001 West Burdick Ave, Milwaukee on February 7, 2006 and therefore I'm requesting a hearing.

Sincerely,



Theodore M Uribe Jr.

CITY OF MILWAUKEE

APR 28 2006

CITY OF MILWAUKEE

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**PATRICK B. McDONNELL**  
**LINDA ULISS BURKE**  
Deputy City Attorneys



**OFFICE OF CITY ATTORNEY**  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD (414) 286-2025  
FAX (414) 286-8550

April 11, 2006

Theodore M. Uribe, Jr.  
9001 West Burdick Avenue  
Milwaukee, WI 53227-4423

RE: Theodore M. Uribe, Jr.  
C.I. File No: 06-S-62

Dear Mr. Uribe:

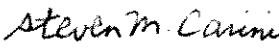
We have received your claim in the amount of \$429.48, relating to damage sustained to your vehicle on February 7, 2006 where it was allegedly scratched by a City forestry worker during tree trimming in front of your home located at 9001 West Burdick Avenue.

Our investigation reveals that the Forestry Division records indicate that on February 7, 2006, a Forestry crew pruned a 2 inch diameter Elm tree located in the City right-of-way adjacent to 9001 West Burdick Avenue. A few small branches, measuring less than a 1/2 inch in diameter, were removed and placed in the back of the lift truck. On February 8, 2006, the DPW Call Center received a call from you alleging that your truck was scratched by the Forestry crew. The division investigated and the crew denies scratching your truck. As such, in the absence of proof to the contrary, we must take credence in their testimony and not accept liability. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

  
**STEVEN M. CARINI**  
Investigator Adjuster

SMC:beg  
1068-2006-620:104214

**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**HAZEL MOSLEY**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**VINCENT J. BOBOT**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM STEPHENS**  
**KEVIN P. SULLIVAN**

Assistant City Attorneys

February 20, 2006

CITY OF MILWAUKEE

2006 FEB 20 11:00 AM

RONALD D.  
CITY

To: City Clerk  
Attn: Claims  
200 E. Wells St. Room 205  
Milwaukee, WI 53202-3567

From: Theodore M. Uribe Jr.  
9001 West Burdick Ave  
Milwaukee, WI 53227  
414-719-0463 cell

Re: Vehicle Damage

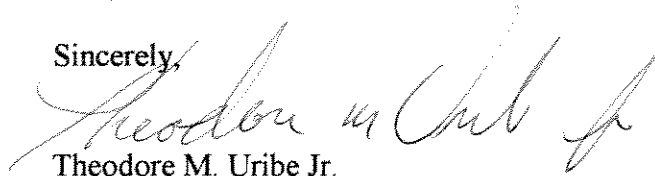
To whom it may concern,

On February 7, 2006 between the hours of 11am and 1:00pm in the afternoon the city of Milwaukee forestry department scratched my 2005 Dodge Ram Truck. I was home that day and noticed the city worker trimming the tree in front of my house with a metal hand saw. There was a city truck with a shredder parked parallel with my truck. The worker was gathering large handfuls of branches and caring them to the shedder. He was between my vehicle and the city truck. As I got myself together to go out to see if I needed to move my vehicle they were done. The tree trimming in front of my house took approximately 10 minutes. Please see the diagram I've drawn out to show how the vehicles where parked. The scratch on my truck is located on the drivers' side rear panel below the gas cap. I would appreciate your prompt attention in this matter

Vehicle description: Red 2005 Dodge Ram 1500, 4x4 Quad Cab Short bed

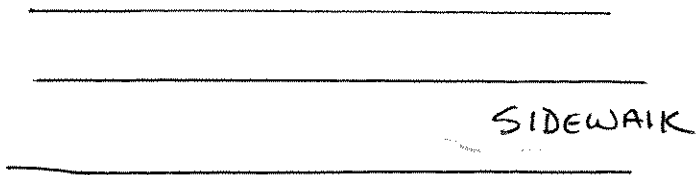
Cost of repair and paint of my vehicle from Hub Chrysler is 399.80  
Rental Car (Enterprise) 39.00 per day  
2 days to repair

Sincerely,

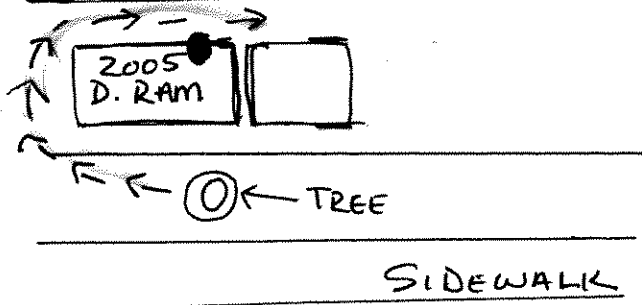


Theodore M. Uribe Jr.

# Diagram of vehicles



CITY  
WORKER  
PATH OF  
TRAVEL



9001 W.  
Burdick Ave  
(my House)

● SCRATCH



## Brownell Quality Collision Center

10414 W. Greenfield Ave. West Allis, WI 53214-3930  
 (414) 774-0610  
 Fax: (414) 774-0760

Damage Assessed By: DON GUTH

*Hertz*

Condition Code: Good  
 Payer: Customer Deductible: NONE

Owner: TED URIBI  
 Address: 9001 W BURDICK AVE MILWAUKEE, WI 53227  
 Telephone: Home Phone: (414) 719-0463

Mitchell Service: 913530

Description: 2005 Dodge Pickup R1500 SLT  
 Body Style: 4D PkpwCrw 6' Bed 140" WB Drive Train: 4.7L Inj 8 Cyl 4WD  
 VIN: 1D7HU18NX5S174978 License: - WI  
 Mileage: 3,000  
 Color: RED  
 Options: 4WD OR AWD, ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER WINDOWS, POWER DOOR LOCKS  
 CRUISE CONTROL, AUTOMATIC TRANSMISSION, AM-FM STEREO/CDPLAYER(SINGLE)

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/Part Number	Dollar Amount	Labor Units
1	302289	BDY	REPAIR	L PICKUP BED SIDE PANEL ASSY	Existing		1.0* #
2	AUTO	REF	REFINISH	L BED SIDE PANEL OUTSIDE			C 3.2
3	AUTO	REF	ADD'L OPR	CLEAR COAT			1.3*
4	933003	REF	ADD'L OPR	TINT COLOR			0.5*
5	933018	REF	ADD'L OPR	MASK FOR OVERSPRAY		5.00 *	0.3*
6	AUTO		ADD'L COST	PAINT/MATERIALS		140.00 *	
7	AUTO		ADD'L COST	HAZARDOUS WASTE DISPOSAL		5.00 *	

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

I. Labor Subtotals						II. Part Replacement Summary	
	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals		Amount
Body	1.0	48.00	0.00	0.00	48.00 T		
Refinish	5.3	48.00	5.00	0.00	259.40 T	Total Replacement Parts Amount	0.00
Taxable Labor					307.40		
Labor Tax		@	5.600 %		17.21		
Labor Summary	6.3				324.61		

ESTIMATE RECALL NUMBER: 2/10/2006 13:45:01 10364

III. Additional Costs	Amount	IV. Adjustments	Amount
Taxable Costs	145.00	Insurance Deductible	0.00
Sales Tax @ 5.600%	8.12	Customer Responsibility	0.00
<b>Total Additional Costs</b>	<b>153.12</b>		
		I. Total Labor:	324.61
		II. Total Replacement Parts:	0.00
		III. Total Additional Costs:	153.12
		Gross Total:	477.73
		IV. Total Adjustments:	0.00
		Net Total:	477.73

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

Point(s) of Impact

8 Left Rear Side (P)

Body Shop: Brownell Quality Collision Center  
 Address: 10414 W GREENFIELD AVE  
 WEST ALLIS, WI 53214

02/15/2006 at 12:05 PM  
12647

Job Number:

**HUB CHRYSLER PLYMOUTH, INC. SOUTH**

Federal ID #:390739375

" IS THERE A HUB TAG ON YOUR CAR? "

3035 SO. 108TH STREET

WEST ALLIS, WI 53227

(414)327-2400 Fax: (414)327-0700

**PRELIMINARY ESTIMATE**

Written By: RAY MITCHELL

Adjuster:

*Dennis*

**Insured:** TED URIBE

**Claim #**

**Owner:** TED URIBE

**Policy #**

**Address:** 9001 W BURDICK AVE  
MILWAUKEE, WI 53227

**Deductible:**

**Day:** (414)286-8923

**Date of Loss:**

**Evening:** (414)719-0463

**Type of Loss:**

**Point of Impact:**

**Inspect** HUB CHRYSLER PLYMOUTH, INC. SOUT

**Business:** (414)327-2400

**Location:** 3035 SO. 108TH STREET  
WEST ALLIS, WI 53227

**Insurance**

**Company:**

Days to Repair

2005 DODG RAM 1500 4X4 QUAD CAB 8-4.7L-FI 4D SHORT RED Int:GRAY

**VIN:** 1D7HU18NX55174978 **Lic:** BAL5078 **WI Prod Date:** 10/2004 **Odometer:** 2432

Air Conditioning	Tilt Wheel	Intermittent Wipers
Dual Mirrors	Clear Coat Paint	Power Steering
Power Brakes	AM Radio	FM Radio
Stereo	Cassette	Search/Seek
Anti-Lock Brakes (4)	Driver Air Bag	Passenger Air Bag
4 Wheel Disc Brakes	Split Bench Seats	Rear Step Bumper
6 Speed Transmission	4 Wheel Drive	Overdrive
Styled Steel Wheels		



02/15/2006 at 12:05 PM  
12647

Job Number:

**PRELIMINARY ESTIMATE**

2005 DODG RAM 1500 4X4 QUAD CAB 8-4.7L-FI 4D SHORT RED Int:GRAY

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
1		REAR LAMPS					
2	R&I	LT Tail lamp				0.3	
3		PICK UP BOX					
4*	Rpr	LT Outer panel w/o SRT-10				<u>1.0</u>	2.7
5		Add for Clear Coat					1.1
6	R&I	Fuel door				0.3	
7#		HAZARDOUS WASTE DISPOSAL	1		3.00		
8#		MASK FOR OVERSPRAY	1		10.00		
Subtotals ==>					13.00	1.6	3.8

Parts		13.00
Body Labor	1.6 hrs @ \$ 48.00/hr	76.80
Paint Labor	3.8 hrs @ \$ 48.00/hr	182.40
Paint Supplies	3.8 hrs @ \$ 28.00/hr	106.40

SUBTOTAL		\$ 378.60
Sales Tax	\$ 378.60 @ 5.6000%	21.20

GRAND TOTAL \$ 399.80

ADJUSTMENTS:

Deductible 0.00

CUSTOMER PAY \$ 0.00

INSURANCE PAY \$ 399.80

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

02/15/2006 at 12:05 PM  
12647

Job Number:

**PRELIMINARY ESTIMATE**

2005 DODG RAM 1500 4X4 QUAD CAB 8-4.7L-FI 4D SHORT RED Int:GRAY

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR3TA02 Database Date 01/2006, CCC Data Date 01/2006, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) parts are OEM parts that may be provided by or through alternate sources other than the OE/Vehicle dealerships. OPT OEM parts may reflect some specific, special, or unique pricing or discount. Asterisk (\*) or Double Asterisk (\*\*\*) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries. Some 2006 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.