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May 13, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of CARLATA WESLEY
C.I. File No. 11-L-29

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Carlata Wesley, 7865 Appleton Avenue, #1B, Milwaukee, WI 53218, alleges that on or about February 23, 2011 her 2006 Chevrolet Cobalt was towed to the City of Milwaukee Tow Lot and was damaged during the towing process. She also alleges that the tow lot personnel failed to advise her of the oil pan damage prior to her driving the vehicle away. She seeks damages in the amount of \$20,000.00.

Our investigation reveals that C.H.I. Towing, Inc., the City's towing contractor, acknowledged the oil pan damage. This portion of the claim has been tendered to them under separate cover. We have provided a copy of said letter for your reference.

The investigation further reflected that the oil pan issue was addressed by a notation on the vehicle's windows that stated "do not start." The claimant was also advised by the tow lot staff that this vehicle should be picked up by C.H.I. once her private tow contractor removed the vehicle from the tow lot. Since the tow lot was not negligent in this matter, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1044-2011-900:169309

OFFICE OF THE CITY ATTORNEY