GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



March 12, 2013

Mailed 3/13/13

Nicole West P.O. Box 091337 Milwaukee, WI 53209

RE: C.I. File No. 1030-2013-739

Communication from NICOLE WEST

Dear Ms. West:

We have received your claim in the amount of \$630.00, relating to damage to the downspouts and siding of your garage on/about January 14, 2013 when you allege that it was struck by a city garbage truck in the alley behind your residence located at 1618 West Wright Street.

Our investigation reveals that the Fleet Driving Instructor who investigated this matter noted that the overall damage is not consistent with being hit by a garbage truck. In addition, there was no paint transfer on the downspouts and siding of your garage. Finally, none of our drivers reported doing the damage. There is no evidence to support your belief that a city garbage truck caused the damage. As such, the City cannot accept liability. Therefore we are denying your claim.

THOMAS O. GARTNER STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN MELANIE RUTLEDGE JAY A. UNORA DONALD L. SCHRIEFER **EDWARD M. EHRLICH** LEONARD A. TOKUS MIRIAM R. HORWITZ MARYNELL REGAN G. O'SULLIVAN-CROWLEY KATHRYN Z. BLOCK ELOISA DE LEÓN ADAM B. STEPHENS KEVIN P. SULLIVAN THOMAS D. MILLER JARELY M. RUIZ **ROBIN A. PEDERSON** CHRISTINE M. QUINN MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNINS PETER J. BLOCK NICHOLAS P. DESIATO Assistant City Attorneys

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If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt 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

stevenm. Carini

STEVEN M. CARINI Investigator Adjuster

SMC:cdr

1030-2013-739/190113