

Dan & Jill Stilwell
W349N5393 Road B
Okauchee, Wisconsin 53069

Telephone: (414) 698-4965
E-Mail: pilgrim40@ameritech.net

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NOV 9 - 2017

OFFICE OF
CITY ATTORNEY

November 6, 2017

Mr. Jim Owczarski
City Clerk
ATTN: Claims
200 E Wells St, Room 205
Milwaukee, WI 53202-3567

*Sent Via Certified U.S. Mail
Return Receipt Requested*

Re: Notice of Claim for Damages

Dear Mr. Owczarski:

In accordance with Wis. Stat. § 893.80(1d), I am writing to notify you of our claim for damages against the City of Milwaukee, Wisconsin (the "City"); the Milwaukee Fire Department (the "Fire Department") and one or more employees or agents of the City. Following is a summary of the circumstances of our claim and our request for relief.

On the evening of August 19, 2017, the McKinley Boat Owners Association ("McBoat") and the Milwaukee Community Sailing Center sponsored a "Venetian Boat Parade" (the "Parade") at McKinley Marina (the "Marina") located at 1750 N Lincoln Memorial Drive, Milwaukee, WI 53202. Enclosed is a description of the Parade taken from McBoat's website.

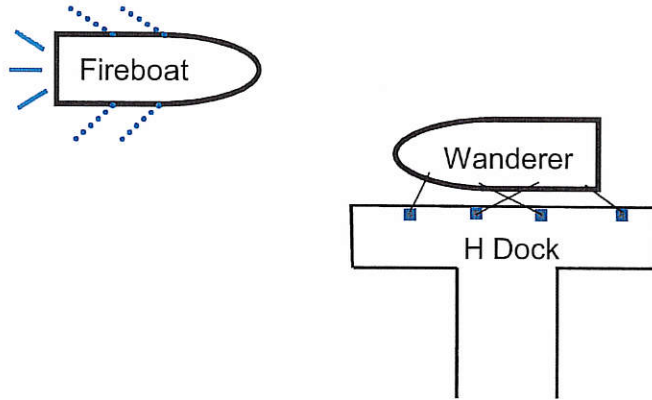
The Parade began around 8:30 pm that evening, as several decorated and illuminated boats began circling around the Marina mooring basin. The City of Milwaukee's fireboat, "Phoenix" (the "Fireboat"), led the Parade with its two forward water cannons in operation.

My wife and I are the owners of "Wanderer," a 2002 64' Grand Alaskan Flushdeck Motor Yacht. At all times during the Parade, our boat was tied securely to the dock in its assigned dock space at the end of the Marina's "H Dock." A map of the Marina's center section is enclosed for your reference.

At approximately 8:40 pm that evening, my wife and I, and two other couples, were standing on the bow of our boat as the Fireboat approached our boat. Although the helmsman of the Fireboat had the Marina's entire main channel to operate within, for some unknown reason, he chose to pass within an estimated four feet of our boat. When the stern of the Fireboat came amidship of Wanderer, the Fireboat's helmsman put the Fireboat in reverse and gunned its engines, causing the starboard side of the Fireboat to ram the starboard side of our boat.

The collision caused significant damage to our boat in several places, including, but not limited to, gouges and chips in Wanderer's gel coat, a deep scratch approximately six feet long in our boat's hull stripe, and damage to our boat's rub rail.

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The collision resulted solely from the negligence of the Fireboat's crew. Our boat was not underway at the time of the collision. As indicated above, Wanderer was securely tied to the dock at the time of the collision.

We do not know the names of the helmsman or other crew members that were operating the Fireboat that night as they made absolutely no effort to contact us after the collision. They left aboard the Fireboat immediately after the collision without saying a word and did not return.

Fortunately, after the Parade ended, three City policeman on a City police boat came alongside our boat to assess the damage to our boat and prepare an accident report. We did not obtain a copy of the police report.

My wife and I are seeking relief in the amount of \$6,106.31 to compensate us for the damage caused to our boat. In support of our claim, we are submitting the two enclosed itemized repair estimates. The amount we seek is the average of the two estimates.

Please be advised that, pending resolution of our claim, the City, the Fire Department and their respective employees and agents are under a legal duty to maintain, preserve, retain, protect and not destroy any and all evidence that relates in any way to the collision or that might otherwise be relevant to our claim, including documents in both hard copy and electronic form. Without limiting the foregoing, you are instructed not to destroy, diasable, erase, encrypt, alter, or otherwise make unavailable any such electronic documents, data or other evidence, and to take reasonable efforts to preserve same.

Following is our contact information where we may be reached:

Dan & Jill Stilwell
W349N5393 Road B
Okauchee, WI 53069

Telephone: (414) 698-4965
E-Mail: pilgrim40@ameritech.net

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As we would like to begin repairs to Wanderer as soon as possible, we look forward to promptly receiving the City's check. Please don't hesitate to contact us if you would like to discuss our claim.

Sincerely,



Dan D. Stilwell

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enclosures

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Milwaukee Venetian Boat Parade

Presented By:

McKinley Boat Owners Association (McBOAT) & Milwaukee Community Sailing Center

In Association With:

Milwaukee County Parks System - MAST - Milwaukee Yacht Club

United States Coast Guard - United States Coast Guard Auxiliary

Benefiting:

Milwaukee Water Commons

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Milwaukee Venetian Boat Parade Registration Form

Welcome! If you would like to take part in our event, please fill in your details in the form below and you will be automatically registered. Registration forms are not complete unless they are accompanied by your non-refundable \$50.00 registration fee.

Name *

First Last

Email *

Phone *

Ideally a Phone number you can be reached at while on board your vessel

####

Vessel Name *

Type of Vessel *

Power

Slip Location and Number *

(i.e. McKinley Marina D-12 or South Shore Yacht Club #20) Please do not abbreviate

Describe your vessel and your Venetian Decorations

These comments may be read by the Emcee and will be reviewed by the judges, be as descriptive and as fun as you can

Rules and Regulations *

I agree to the rules and regulations.

Terms of Participation *

I agree to the terms of participation.

Register

[Pay Your Registration Fee by Clicking Here](#)

Don't Like online? Print out and mail in your registration form

What is a Venetian Boat Parade?

A Venetian Boat Parade is simply a bunch of boats being decorated and illuminated in a bunch of fun ways to be shown off for fun, bragging rights, and in our case charity!

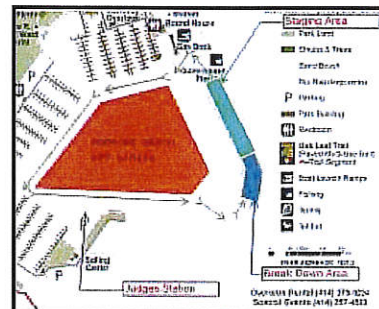


When & Where?

The Milwaukee Venetian Boat Parade is going to be held on **August 19th** at 8:30 pm with a rain date of August 20th at 8:30 pm at the Milwaukee Community Sailing Center



The Route



Want to know more about registering your boat?

and payment by clicking here > [Download Registration Packet](#)

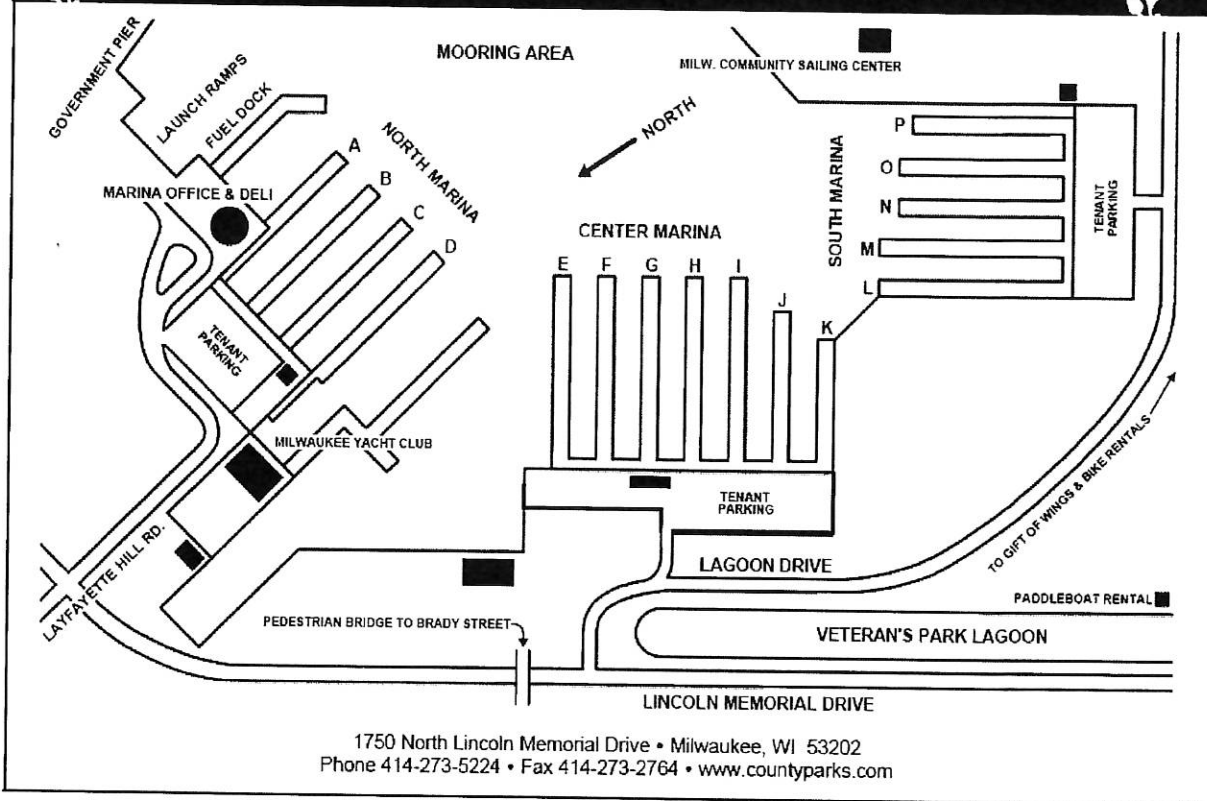
**Click here to download
our [Skipper's Info Packet](#)**

Still have questions? Email us at
McBoatmke@gmail.com or contact us through
[Facebook](#) at [McKinley Boat Owners Association](#) or
[McBoatMke](#)



MCKINLEY MARINA

MILWAUKEE COUNTY PARK SYSTEM



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ESTIMATE

Manitowoc Marina
 P.O. Box 993
 425 Maritime Dr
 Manitowoc, WI 54221-0993



Version#: 1
 Date: 8/24/2017

Stilwell, Dan
 W332 N5671 Louise Lane
 Nashotah, WI 53058

Estimate Name:
 Dan Stilwell - Collision Repairs - 2017
 for Wanderer
 See last page for Estimate Totals.

Estimate (#5010) Dan Stilwell - Collision Repairs - 2017

Collision Repairs

Grind out the damaged gel coat areas. Fill, sand, and fair. Tint white gel coat to match. Mask, spray, and polish. Tint and spray the gray. Sand and polish. Tint and spray the black. Sand and polish. Unmask and buff the starboard side of the hull,

*Does not include any unforeseen damage.

Collision Repairs

Type	Description	Quantity	Unit Price	Extension
Labor		46.0000	98.0000	\$4,508.00
Parts	Filler, Plastic, Sandpaper, White Gel Coat, Tints, and Misc Supplies	1.0000	650.0000	\$650.00
Total Labor				\$4,508.00
Total Parts				\$650.00
Tax				\$257.90
Total for Collision Repairs				\$5,415.90
Total Labor				\$4,508.00
Total Parts				\$650.00
Environmental Fee				\$135.24
Total Tax				\$264.66
Estimate Total				\$5,557.90

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TOM'S AUTO BODY
Because Accidents Happen!
819 Canal St, Delafield, WI 53018
Phone: (262) 646-8823
FAX: (262) 646-3196

Workfile ID: 0dac7b17
Federal ID: 83-0386443
State ID: 673-789
Resale Number: 456-001829388-03

Preliminary Estimate

Customer: STILLWELL, JILL

Written By: TOM MERKT

Insured: STILLWELL, JILL
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:
STILLWELL, JILL
(414) 828-8235 Cell

Inspection Location:
TOM'S AUTO BODY
819 Canal St
Delafield, WI 53018
Repair Facility
(262) 646-8823 Day

Insurance Company:

VEHICLE

VIN:	Interior Color:	Mileage In:	Vehicle Out:
License:	Exterior Color:	Mileage Out:	
State:	Production Date:	Condition:	Job #:

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Dan D. Stilwell
W349N5393 Road B
Okauchee, WI 53069

CERTIFIED MAIL



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53202

U.S. POSTAGE
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53203
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\$6.80
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CITY CLERK'S OFFICE

2017 NOV - 9 AM 11:31

CITY OF MILWAUKEE

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