

November 13, 2009
Milwaukee City Clerk
200 East Wells Street Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE
CITY OF MILWAUKEE RECEIVED
2009 NOV 16 PM 12: 21 2009 NOV 16 PM 2: 49

RONALD D. LEONHART
CITY CLERK
OFFICE OF
CITY ATTORNEY

To Whom It May Concern:

As a taxpayer of the city of Milwaukee and a victim of an accident caused by a city lawn mower operator, I am disappointed with the lies that have been created, by the higher ups to cover up the negligence of the City of Milwaukee Forestry division and out right denial of my claim to recover damages to my car.

On September 2nd 2009 at approximately 9:00 a.m. my car was struck (and almost me) by a metal cable anchor that should have been removed prior to mowing. The median that the city workers were mowing had not been mowed for a long time and was full of trash and debris. No one bothered to remove any of the trash and debris prior to mowing.

We were very frighten by this incident and I thank God that my daughter or me were not injured. My daughter and I were sitting in my parked car waiting for my granddaughter. A few minutes into the mowing all of a sudden there was a loud bomb like a gunshot as my car shook like an earthquake. A metal object was hit by the city lawnmower and was sent air born at a high speed and just missed hitting me in the head. The metal object ended up hitting my drivers side car door and ricocheted towards the rear of the car causing several dents on the drivers side of my car before falling to the ground.

The two City employees that were mowing the lawn immediately jumped off of their mowers and rushed over to see if we were ok. The city worker then combed through the trashy grass and picked up what they called a metal anchor hook. Operator Ron Hauper then stated that he had hit the metal anchor hook and he saw it fly from up under his mower and hit my car. Operator Jimmy Wilson also explained that these things happen all the time and apologized over and over again, Stating not to worry that they would take care of my damages. I said I need to call the police but I had no cell phone with me. He immediately made a phone call and said that some one is already on the way. He also thanked me for not being rude to them.

While we were waiting Witness Antwanetta Madison who resides at 8465 W. Fond du Lac Ave. Argued with operator Jimmy Wilson about why didn't they or someone come and remove the debris and trash before they began mowing over it. She as well as others are also willing to testify that they did not clear the area of trash and debris before mowing. I have a signed statement from her and others.

Supervisor Ted Mueller arrived on the scene and said that it was not necessary to call the police because he was there to represent the City of Milwaukee and me and to write up the report. Ron Hauper gave Mr. Mueller the metal object that he hit with the mower that then hit my car. Mr. Mueller again assured me that he would take care of everything and that we did not need to involve the police. He wrote notes on a property damage report and took photos. Mr. Mueller then handed me a sheet of paper with directions to file a claim. He told me to follow the instructions on the form and said that once he turned in his report the city will pay the claim. This was all a scam for me not to contact the police!

Mr. Mueller then told me to go to two auto body shops and get estimates done and submit them with my claim and they would cover the damages. I trusted what the supervisor said, since he arrived in a city truck, appeared professional and assured me that he would take care of everything admitting that it was their fault. I did take photos of the report he filled out, the car and the area.

Since then I received a disturbing letter from the office of the City attorney stating that their investigation revealed that they checked the area prior to mowing and that the employee assigned to the location had no knowledge of any debris being discharged. Both statements are not true and I have a written statement from the employee stating that on 9-2-09 while mowing on Fon Du Lac Ave. object flew from his mower and struck my car and that it was a cable hook that should have been removed.

There fore I would like to appeal this decision and I am sending this letter to do so. I do have several witnesses, the signed and dated statements from Mr. Hauper admitting that he caused the accident and admits that the anchor should have removed which proves negligence.

I also have copies of letters from Mr. David B. Slyver Forestry Services Manager to Mr. Grant F. Langley, which is full of lies proving the attempt to cover up the truth. One letter states that the employee had no knowledge of any debris being discharged and another letter that does not include this statement. I have copies of both letters. He also states that an individual approached the worker as he was mowing but the workers actually approached me! In a conversation on 11-11-09 with Mr. Slyver, he claims that he will correct the letter but that I will have to request it from the court.

I met with Liz Kieren Urban Forestry Manager and Ted Mueller on 11-9-09 who have turned over to me my files, which include most everything. Liz made an attempt to defend the letter and the negligence but the employee again came forward and openly and honestly admitted everything! I have had several conversations with Robert Overholt who has been rude and is also denying that they were not negligent and says it's not the city's fault because they did their job by damaging my car! He says I should have my insurance to take care of it! "Because we are not going to." They are all creating lies and as he stated I'm standing behind it! They are willing to do anything to avoid the responsibility of negligence and payment

It is my hopes that you can see that it is obvious that there was negligence or the incident would have never occurred. I have proof that the area was not checked or cleaned up prior to the employees mowing.

I would also argue that It is not reasonable to say that there is not negligence when a self mulching feature or mower that does not have a blower that is self contained could have been used to not cause damage to someone, or something such as a persons car or other property.

The city is lucking that we were not severely injured from the negligence and having to pay doctor, hospital bills or for God forbid a death claim as well! Proper measures were not taken to avoid an accident from happening and these things should be addressed to avoid accidents of this kind in the future. Please pay for the damages to my car! May God Bless you. I am requesting a hearing.

Sincerely,



Rosslind Prescott-Allen
11316 W. Bobolink Ave.
Milwaukee, WI 53225
C.I. File No.: 09-S-345

414-540-2221 work
414-916-9994 cell
414-760-2939 Home

September 10, 2009

Dear City Clerk,

On Wednesday, September 2, 2009 on or about 9:00 a.m. I was sitting in my car, which was parked in front of 8465 W. Fond Du Lac Ave. Milwaukee, WI. when a city lawn mower hit a metal cable anchor in the high grass where they were mowing. The metal anchor flew at a very high speed and hit my passenger driver's side door and then ricocheted towards the trunk of the car. This caused several dents and scratches on the car. The taillight also cracked as a result of the metal anchor hitting the vehicle.

The vehicle is owned by myself, Rossling Prescott Allen my home address is 11316 W. Bobolink Ave. Milwaukee, WI 53225. I am looking to have the city pay for the damages to my vehicle during this incident. I have received an estimate from Reflections Auto Body Inc. to repair the damages for \$1849.00. I received a second estimate from Prestige Auto Works \$2287.00 I have enclosed both estimates.



Rossling Prescott Allen
11316 W. Bobolink Ave.
Milwaukee, WI 53225
414-540-2221 Work
414-916-9994 Cell
414-760-2939 Home

CITY OF MILWAUKEE
CITY OF MILWAUKEE
RECEIVED
2009 SEP 14 AM 11:29
RONALD D. LEONHARDT
CITY CLERK
OFFICE OF
CITY ATTORNEY
2009 SEP 15 PM 2:34

PRESTIGE AUTO WORKS AND FINISHES INC
 6301 W DOUGLAS AVENUE
 MILWAUKEE, WI. 53218
 PHONE 414-466-2111 FAX 414-466-9992
 FEDERAL ID# 39-1661-727

CD LOG NO 22056-1 DATE 09/04/09

SHOP: PRESTIGE AUTO WORKS INSP DATE: 09/04/09
 ADDRESS: 6301 W DOUGLAS AVE CONTACT: SHAUN
 CITY STATE: MILWAUKEE, WI PHONE 1: (414) 466-2111
 ZIP: 53218- FAX: (414) 466-9992

OWNER: PRESCOTT-ALLEN, ROSSLIND HOME PHONE: (414) 760-2939
 ADDRESS: 11316 W BOBOLINK AVE WORK PHONE: (414) 540-2221
 CITY STATE: MILWAUKEE, WI CELL PHONE: (414) 916-9994
 ZIP: 53225

POINT OF IMPACT: 6

LIC#: 744-NGU STATE: WI VIN: 1FAFP56S9YG210326
 BODY COLOR: SILVER MILEAGE: 188,416
 CONDITION: ACCTNG CTL#:

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

MORE DAMAGE POSSIBLE TEAR DOWN AND INSPECT

2000 FORD TAURUS SE COMFORT 4DOOR SEDAN 6CYL GASOLINE 3.0 DOHC
 CODE: P3533E/A OPTNS D/24ACDGJMO

OPTIONS:
 TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 DRIVER POWER SEAT HEATED REMOTE CONTROL MIRRORS
 POWER DOOR LOCKS ANTI-LOCK BRAKE SYSTEM
 CLIMATE CONTROLLED A/C ALARM SYSTEM
 CRUISE CONTROL

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
BR0170			PANEL, BODYSIDE OTR	LT BLEND REFINISH 0.5 BLEND 0.2 TWO STAGE				0.7	4
RI0245			DEFLECTOR, ROCKER PA	LT R&I ASSEMBLY				0.3	1
BR0255			DOOR SHELL, FRONT	LT BLEND REFINISH 0.9 BLEND				1.3	4

			0.4 TWO STAGE		
RI0231	PNL, INNER DOOR TRIM	LT R&I ASSEMBLY			INC 1
RI0273	MLDG, FRONT DOOR BEL	LT R&I ASSEMBLY			0.2 1
E 0018	MLDG, FRONT DOOR SID	LT 2F1Z5420939PTM	58.25		0.6 1
L 0018	13 MLDG, FRONT DOOR SID	LT REFINISH			1.4 4
			0.7 SURFACE		
			0.6 TWO STAGE SETUP		
			0.1 TWO STAGE		
RI0229	MIRROR, OUTER R/C	LT R&I ASSEMBLY			0.3 1
RI0227	HANDLE, FRONT DOOR O	LT R&I ASSEMBLY			0.8 1
I 0289	PNL, REAR DOOR OUTER	LT REPAIR			8.0*1
L 0289	PNL, REAR DOOR OUTER	LT REFINISH			2.2 4
			1.8 SURFACE		
			0.4 TWO STAGE		
RI0338	MLDG, REAR DOOR BELT	LT R&I ASSEMBLY			0.2 1
E 0020	MLDG, REAR DOOR SIDE	LT 2F1Z5425533PTM	46.28		0.6 1
L 0020	MLDG, REAR DOOR SIDE	LT REFINISH			0.5 4
			0.4 SURFACE		
			0.1 TWO STAGE		
RI0307	PNL, INNER DOOR TRIM	LT R&I ASSEMBLY			INC 1
RI0305	HANDLE, RR DOOR OUTE	LT R&I ASSEMBLY			0.6 1
RI0271	MLDG, ROOF SIDE	LT R&I ASSEMBLY			0.3 1
I 0389	PANEL, QUARTER	LT REPAIR			3.0*1
L 0389	PANEL, QUARTER	LT REFINISH			2.6 4
			2.2 SURFACE		
			0.4 TWO STAGE		
RI0184	ANTENNA, QUARTER PAN	LT R&I ASSEMBLY			0.5 1
RI0395	QTR GLASS R & I	LT R&I ASSEMBLY			2.0*1
E 0533	TAILLAMP ASSEMBLY	LT 3F1Z13405DA	116.73		0.3 1
RI0566	REAR BUMPER COVER R&I	R&I ASSEMBLY			1.9 1
L M14	CORROSION PROTECTION	REFINISH			0.5*4*
ECM29	GLASS INSTALL. KIT	ECONOMY PART	25.00*		1*
SBM60	HAZARD. WSTE. REM.	SUBLET REPAIR	4.00*		1*
EC	BUMPER RETAINERS	ECONOMY PART	12.50*		1*
L	MASK JAMS	REFINISH			0.3*4*

28 ITEMS

MC MESSAGE(S)
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS		221.26
OTHER PARTS		37.50
PAINT MATERIAL		332.50
PARTS & MATERIAL TOTAL		591.26
TAX ON PARTS & MATERIAL @	5.600%	33.11

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	54.00	8.6	11.0	1,058.40
2-MECH/ELEC	95.00			
3-FRAME	55.00			
4-REFINISH	54.00	9.5		513.00

2000 FORD TAURUS SE COMFORT 4DOOR SEDAN
CD LOG NO 22056-1

5-PAINT MATERIAL	35.00		
LABOR TOTAL			1,571.40
TAX ON LABOR	@	5.600%	88.00
SUBLET REPAIRS			4.00
TAX ON SUBLET	@	5.600%	0.22
TOWING			
STORAGE			
GROSS TOTAL			2,287.99
NET TOTAL			2,287.99

SHOPLINK U2834 ES CD LOG 22056-1 DATE 09/04/09 04:27:01PM R6.37 CD 07/09
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53218
HOST LOG
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

2.2 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

THIS ESTIMATE HAS BEEN PREPARED BASED ON A VISUAL INSPECTION. ACTUAL REPAIRS MAY REQUIRE ADDITIONAL PARTS AND LABOR DUE TO HIDDEN DAMAGE. THEREFORE WE CANNOT GUARANTEE A FINAL PRICE PRIOR TO COMPLETION NOR A FINAL COMPLETION TIME. YOU WILL BE NOTIFIED OF ADDITIONAL COST. ESTIMATE VALID FOR 30 DAYS. PARTS PRICES SUBJECT TO CHANGE WITHOUT NOTICE FROM MFG. YOU ARE RESPONSIBLE FOR FULL PAYMENT UPON COMPLETION. STORAGE FEES ARE \$20/DAY. NO PERSONAL CHECKS ACCEPTED. NON OEM PARTS ARE IDENTIFIED AS "ECONOMY" OR "QUALITY REPLACEMENT PART". PAW NOT RESPONSIBLE FOR PERSONAL PROPERTY LOST OR DAMAGED DURING REPAIRS. I HAVE READ, UNDERSTAND, AND RECEIVED A COPY OF THIS ESTIMATE AND AUTHORIZE REPAIRS, INCLUDING SUBLET.

SIGNATURE _____ DATE _____

REFLECTIONS AUTO BODY INC.
6920 N. 76th Street
Milwaukee, WI 53223
(414)358-2110 Fax: (414)358-2232

PRELIMINARY ESTIMATE

Written By: DAN BACON
Adjuster:

Insured: ROSSLIND PRESCOTT ALLEN	Claim #
Owner: ROSSLIND PRESCOTT ALLEN	Policy #
Address: 11316 W BOBOLINK AVE	Deductible:
MILWAUKEE, WI	Date of Loss:
Evening: (414)760-2939	Type of Loss:
Business: (414)540-2221	Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

2000 FORD TAURUS SE COMFORT 6-3.0L-FI 4D SED SILVER Int:
VIN: 1FAFP56S9YG210326 Lic: 744NGU WI Prod Date: 04/2000 Odometer: 188401

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Intermittent Wipers	Climate Control
Keyless Entry	Alarm	Dual Mirrors
Console/Storage	Clear Coat Paint	Power Steering
Power Brakes	Power Windows	Power Locks
Power Driver Seat	Power Mirrors	Heated Mirrors
AM Radio	FM Radio	Stereo
Cassette	Search/Seek	Anti-Lock Brakes (4)
Driver Air Bag	Passenger Air Bag	Cloth Seats
Bucket Seats	Automatic Transmission	Overdrive
Aluminum/Alloy Wheels		

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		REAR DOOR				
2*	Rpr	LT Outer panel			6.5	2.2
3		Add for Clear Coat				0.9
4	R&I	LT Belt w'strip sedan			0.3	
5*	R&I	LT Body side mldg primed			0.3	
6#	Rpr	Clean & Re-Tape Mldg(s)				0.2
7	R&I	LT Handle, outside primed			0.4	
8	R&I	LT R&I trim panel			0.4	
9		QUARTER PANEL				
10*	Rpr	LT Quarter panel			7.5	2.2
11		Overlap Major Adj. Panel				-0.4
12		Add for Clear Coat				0.4
13		REAR LAMPS				
14	Repl	LT Tail lamp assy	1	116.73	0.4	

PRELIMINARY ESTIMATE

2000 FORD TAURUS SE COMFORT 6-3.0L-FI 4D SED SILVER Int:

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
15		REAR BUMPER					
16	R&I	Bumper cover				1.6	
17		FRONT DOOR					
18	Blnd	LT Outer panel					1.1
19*	R&I	LT Body side mldg primed				0.3	
20#	Rpr	Clean & Re-Tape Mldg(s)					0.2
21	R&I	LT Mirror w/o heated glass				0.4	
22	R&I	LT Handle, outside w/keyless entry primed				0.4	
23	R&I	LT R&I trim panel				0.5	
24	R&I	LT Belt w'strip sedan				0.3	
25#	Repl	Restore Corrosion Protection	1		12.00 T		
26#	Repl	Car Cover/ Mask for Overspray	1		10.00 T		
27#	Subl	Hazardous Waste Disposal	1		5.00 T		
28#	Repl	Stripe Tape	1		12.00 T	0.4	
Subtotals ==>					155.73	19.7	6.8

Parts		116.73
Body Labor	19.7 hrs @ \$ 52.00/hr	1024.40
Paint Labor	6.8 hrs @ \$ 52.00/hr	353.60
Paint Supplies	6.8 hrs @ \$ 32.00/hr	217.60
Sublet/Misc.		39.00

SUBTOTAL		\$ 1751.33
Sales Tax	\$ 1751.33 @ 5.6000%	98.07
GRAND TOTAL		\$ 1849.40

ADJUSTMENTS:		
Deductible		0.00

CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 1849.40

Job Number:

09/04/2009 at 08:59 AM
38049

PRELIMINARY ESTIMATE
2000 FORD TAURUS SE COMFORT 6-3.0L-FI 4D SED SILVER Int:

Thank You For Your Business.

This is an estimate only. This estimate does not account for hidden or unseen damage. Parts prices may vary and are subject to invoice.

Authorization of Repair

Customer Signature _____ Date ____/____/____

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.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DR2JN00, CCC Data Date 07/10/2009, 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) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. 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 Recond. 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 2010 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.