

July 8, 2008

To: Grant F. Langley- City Attorney  
Robert M. Overholt- Investigator Adjuster

Re: Antionette Hymes  
C.I. File No: 08-S-208

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Dear Mr. Langley and Mr. Overholt

This letter is in response to the denial letter I received on July 5, 2008 regarding my claim in the amount of \$500.00, relating to damages sustained to my vehicle after colliding into a pothole traveling eastbound on west North Ave in front of Scoops Ice Cream Shop(near N. 38<sup>th</sup> St) on February 27, 2008.

This letter is to you inform you that I do want to appeal your denial decision and is requesting a hearing. I should be reimburse for the \$500.00 deductible I had to pay because my car sustained those damages from your city street due to the lack of your up keep.

Please feel free to contact me either via mail 4128 W. Florist Ave, Milwaukee, WI 53209 or by phone 414-462-8862 or 414-315-8862.

Sincerely,



Antionette Hymes

CITY OF MILWAUKEE

2008 JUL 17 PM 2:46

RONALD D. LEONHARDT  
CITY CLERK

North Hills Primary Care Cl  
W129 N7055 Northfield Driv  
Building A, Suite 100  
Menomonee Falls, WI 53051  
Located at Community Memori  
Medical Commons



262-253-2510 Tel  
262-253-3399 Fax

# Fax

To: Milwaukee City Clerk From: Antionette Hynes  
Fax: 414-286-3456 Pages: 3  
Phone: \_\_\_\_\_ Date: 7/17/08  
Re: Appeals letter cc: \_\_\_\_\_

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

## • Comments:

Attach you will find my request letter for  
a appeal hearing. Any questions please feel free  
to contact me.

CITY OF MILWAUKEE  
RECEIVED  
2008 JUL 17 PM 3:43  
OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE

2008 MAR -7 PM 12: 59

Wednesday, March 05, 2008

CITY CLERK  
ATTN: CLAIMS  
200 E. WELLS, ROOM 205  
MILWAUKEE, WI 53202

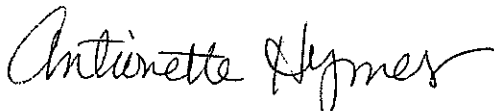
RONALD D. LEONHARDT  
CITY CLERK

ANTIONETTE HYMES  
4128 W. FLORIST AVE.  
MILWAUKEE, WI 53209

DEAR CLAIMS DEPT.

THIS LETTER IS IN REGARDS TO MY 2006 NISSAN ALTIMA THAT SUSTAINED RIGHT FRONT WHEEL DAMAGE ON 2/7/08 AROUND 6PM WHILE DRIVING EAST ON NORTH AVE STREET, PASSING 38th STREET JUST IN FRONT OF SCOOP'S ICE CREAM SHOP. BEING THAT IT WAS DARK OUTSIDE AND THE POT HOLE WAS BLACK, I WASN'T ABLE TO SEE IT AND MY RIGHT FRONT PASSENGER WHEEL WENT INTO A POT HOLE. IT WASN'T UNTIL I MADE A RIGHT TURN ONTO 35TH STREET GOING SOUTH WHEN I HEARD A POP SOUND AND MY STEERING WHEEL TWISTED MAKING IT DIFFICULT TO DRIVE THE CAR STRAIGHT. MY STEERING WHEEL WASN'T ALIGNED STRAIGHT CAUSING THE CAR TO DRIVE TOWARD THE RIGHT AND JERK AS I DROVE IT. DUE TO THE TIME THAT THIS OCCURED I WASN'T ABLE TO TAKE IT TO THE AUTO SHOP BECAUSE THEY WERE CLOSED. ON 2/8/08 I SLOWLY DROVE THE CAR TO ANDREW TOYOTA SERVICE DEPT. IN GLENDALE, 1500 W. SILVER SPRING DR. 414-228-6200. AFTER HAVING MY CAR FOR 3 HOURS, I GOT A CALL FROM JASON BURTON SERVICE MANAGER WHO INFORMED ME THAT MY RIGHT FRONT LOWER CONTROL ARM AND HUB BEARING WITH STEERING/ SUSPENSION AND SPINDLE ASSY. NEEDS TO BE REPLACED FOR TOTAL CHARGES OF \$1021.68 INCLUDING 4 WHEEL ALIGNMENT. MY CAR IS INSURED BY AMERICAN FAMILY INSURANCE WHO PAID FOR \$521.68 OF THE TOTAL AND I PAID FOR MY \$500 DEDUCTIBLE, WHICH IS THE AMOUNT I'M REQUESTING BACK. I WAS INFORMED MY CAR WAS READY FOR PICK UP ON 2/20/08, MY \$500 DEDUCTIBLE WAS PAID IN FULL AT THAT TIME. ATTACHED IS A COPY OF MY DEDUCTIBLE RECIEPT AND MY COMPLETE INVOICE FOR THE REPAIRS. I CAN BE REACHED AT HOME 414-462-8862 OR AT WORK 262-253-2514(DIRECT LINE) IF THERE ARE ANY QUESTIONS OR CONCERNS.

THANKS,



ANTIONETTE HYMES

CITY ATTORNEY

2008 MAR -7 PM 3: 21

42422669386  
ANDREW CHEVROLET  
1500 N SILVER SPRING DR  
MILLWAUKEE, WI 53209  
414-228-6200

Merchant ID: 83000192144  
Term ID: 004  
Clerk ID: 1  
Ref #: 014

# Sale

XXXXXXXXXXXX3710

MASTERCARD Entry Method: Swiped

02/20/08 10:24:36

Inv #: 000014 Appr Code: 902030

Approval: Online Batch#: 051002

Total: \$ 500.00

Customer Copy  
THANK YOU!

deductible

**ANDREW Chevrolet Buick**  
**Pontiac Nissan**  
 1500 W. Silver Spring Drive  
 Glendale, WI 53209  
 Tel #: 414.228.6200



www.AndrewAutomotive.com

CUSTOMER NO. <b>63974</b>		ADVISOR <b>JASON W BURTON</b>	TAG NO. <b>3469 1282</b>	INVOICE DATE <b>02/20/08</b>	INVOICE NO. <b>NICS111152</b>	
<b>ANTIONETTE HYMES</b> <b>4128 W FLORIST AVE</b> <b>MILWAUKEE, WI 53209-3532</b>		LABOR RATE	LICENSE NO.	MILEAGE <b>57,023</b>	COLOR <b>/</b>	
		YEAR / MAKE / MODEL <b>06/NISSAN/ALTIMA/4 DOOR SEDAN</b>			DELIVERY DATE	DELIVERY MILES
		VEHICLE I.D. NO. <b>1 N 4 A L 1 1 D 2 6 N 3 4 0 7 8 6</b>			SELLING DEALER NO.	PRODUCTION DATE
		F.T.E. NO.			P.O. NO.	R.O. DATE <b>02/08/08</b>
RESIDENCE PHONE <b>414-535-9033</b>	BUSINESS PHONE	COMMENTS				

MO: 57025

**JOB# 1 CHARGES-----**

LABOR-----					
J# 1 46NIZ	WHEELS/TIRES	HOURS: 2.20	TECH(S):3194		198.00
	HIT POT HOLE - ADVISE				
	REPLACE R/F LOWER CONTROL ARM AND HUB BEARING				
PARTS-----QTY-----FP-NUMBER-----DESCRIPTION-----UNIT PRICE-----					
	1	40210-3Z000	BEARING WHEEL F	34.60	34.60
	1	54500-8J000	LINK COMPL-TRAN	310.98	310.98
	1	P05471	R-WHEEL	177.00	177.00
		40300-ZB100			
	1	274288	STEM 5.875	2.00	2.00
				TOTAL - PARTS	524.58

"Notice: You are entitled to inspect or receive any components, parts or accessories replaced or removed by the shop."

**ALL PARTS NEW  
UNLESS SPECIFIED**

**Customer  
Service  
is our  
Passion**

**JOB# 1 TOTALS-----**

LABOR 198.00  
PARTS 524.58

JOB# 1 JOURNAL PREFIX NIFS JOB# 1 TOTAL 722.58

**JOB# 2 CHARGES-----**

LABOR-----		HOURS: 0.20 TECH(S):3194		10.00
J# 2 45NIZ	STEERING/SUSPENSION			
	ESTIMATE ON TIRES			
	REPALCE R/F WHEEL			

**JOB# 2 TOTALS-----**

LABOR 10.00

JOB# 2 JOURNAL PREFIX NICS JOB# 2 TOTAL 10.00

**JOB# 3 CHARGES-----**

LABOR-----		HOURS: 0.50 TECH(S):3194		WARRANTY
J# 3+65NIZ	BASE CODE			
	RECALL R07121			
	PREFORM RECALL 07121			

**JOB# 3 TOTALS-----**

JOB# 3 JOURNAL PREFIX NICS JOB# 3 TOTAL 0.00

**JOB# 4 CHARGES-----**

LABOR-----		HOURS: TECH(S):3194		79.95
J# 4+45NIZ06	4 WHEEL ALIGNMENT			
	CUSTOMER REQUESTS 4 WHEEL ALIGNMENT			

**JOB# 4 TOTALS-----**

LABOR 79.95

JOB# 4 JOURNAL PREFIX NICS JOB# 4 TOTAL 79.95

**JOB# 5 CHARGES-----**

LABOR-----

**SERVICE DEPT. HOURS**

Mon-Thurs: 6:30am-9:00pm  
 Friday: 6:30am-6:00pm  
 Saturday: 8:00am-1:00pm  
 Direct #: 414.228.6223

**PARTS DEPT. HOURS**

Mon-Thurs: 7:30am-7:00pm  
 Friday: 7:30am-5:30pm  
 Saturday: 8:00am-1:00pm  
 Direct #: 414.228.6235

**DISCLAIMER OF WARRANTIES**

"The only warranties applying to this part(s) are those which may be offered by the manufacturer. The selling dealer hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of part(s) and/or service. Buyer shall not be entitled to recover from the selling dealer any consequential damages, damages to property, damages for loss of use, loss of time, loss of profits, or income, or any other incidental damages."

Motor vehicle repair trade 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.

**THANK YOU**

# ANDREW Chevrolet Buick

## Pontiac Nissan

1500 W. Silver Spring Drive  
Glendale, WI 53209  
Tel #: 414.228.6200



www.AndrewAutomotive.com

CUSTOMER NO. <b>63974</b>	ADVISOR <b>JASON W BURTON</b>	3469	TAG NO. <b>1282</b>	INVOICE DATE <b>02/20/08</b>	INVOICE NO. <b>NICS111152</b>
<b>ANTIONETTE HYMES</b> <b>4128 W FLORIST AVE</b> <b>MILWAUKEE, WI 53209-3532</b>	LABOR RATE	LICENSE NO.	MILEAGE <b>57,023</b>	COLOR <b>7</b>	STOCK NO.
	YEAR / MAKE / MODEL <b>06/NISSAN/ALTIMA/4 DOOR SEDAN</b>			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. <b>1 N 4 A L 1 1 D 2 6 N 3 4 0 7 8 6</b>			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.			P.O. NO.	R.O. DATE <b>02/08/08</b>
RESIDENCE PHONE <b>414-535-9033</b>	BUSINESS PHONE	COMMENTS			
<b>MO: 57025</b>					

LABOR		AXLE CONCERN		HOURS:	TECH(S):3194	0.00
TECH REPORTS RIGHT FRONT HUB BEARING IS SEIZED TO SPINDLE NEED TO REPLACE HUB ASSY. AUTH PER ROB WILCOTT TO REPLACE HUB/ SPINDLE ASSY.						
PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT	PRICE	
	1	40202-4U010	HUB ASSY - ROAD		154.97	154.97
TOTAL - PARTS						154.97
JOB# 5 TOTALS						
					PARTS	154.97
JOB# 5 JOURNAL PREFIX NICS					JOB# 5 TOTAL	154.97
COMMENTS						
CUSTOMER TO PAY \$500.00 DEDUCTIBLE ROB WILCOTT AUTH. HUB ASSY. REPLACEMENT BECAUSE IT WAS SEIZED TO RACE AND COULD NOT SEPERATE. SUPPLEMENT AMERICAN FAMILY FOR \$154.97 PLUS TAX \$163.64 TOTAL						
TOTALS						
( ) CASH (CHECK#) ( ) CHARGE ( ) CREDIT CARD THANK YOU FOR THIS OPPORTUNITY TO SERVE YOUR NEEDS				TOTAL LABOR.... 287.95 TOTAL PARTS.... 679.55 TOTAL SUBLET... 0.00 TOTAL G.O.G.... 0.00 TOTAL MISC CHG. 0.00 TOTAL MISC DISC 0.00 TOTAL TAX..... 54.18 <b>TOTAL INVOICE \$ 1021.68</b>		

"Notice: You are entitled to inspect or receive any components, parts or accessories replaced or removed by the shop."

**ALL PARTS NEW  
UNLESS SPECIFIED**

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Direct #: 414.228.6235

### DISCLAIMER OF WARRANTIES

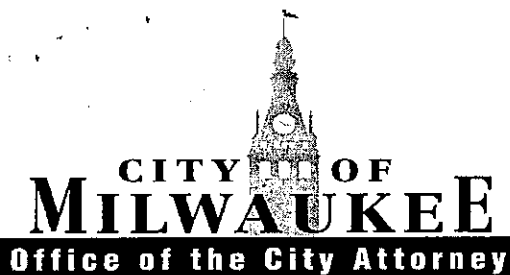
"The only warranties applying to this part(s) are those which may be offered by the manufacturer. The selling dealer hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of part(s) and/or service. Buyer shall not be entitled to recover from the selling dealer any consequential damages, damages to property, damages for loss of use, loss of time, loss of profits, or income, or any other incidental damages."

Motor vehicle repair trade 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.

**THANK YOU**

**GRANT F. LANGLEY**  
City Attorney

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



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
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HEIDI WICK SPOERL  
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MELANIE R. SWANK  
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DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
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ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
Assistant City Attorneys

June 27, 2008

Antionette Hymes  
4128 West Florist Avenue  
Milwaukee, WI 53209

RE: Antionette Hymes  
C.I. File No: 08-S-208

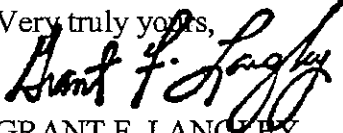
Dear Ms. Hymes:


We have received your claim in the amount of \$500.00, relating to damage sustained to your vehicle when it allegedly collided with a pothole while traveling along eastbound West North Avenue at North 38<sup>th</sup> Street on February 7, 2008.

Our investigation reveals the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center regarding this incident. They found the ISD has patched along West North Avenue on a consistent basis. The winter weather has hampered the repair work and the ability of the patch materials to remain in the repairs. The ISD followed its normal procedures and it was acting within the City's discretion, therefore, we are denying your claim.

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

  
ROBERT M. OVERHOLT  
Investigator Adjuster  
RMO:beg  
1029-2008-854:134611