

November 14, 2011

CITY OF MILWAUKEE
RECEIVED

2011 NOV 17 AM 11:31

Milwaukee City Clerk Office
200 East Wells Street
RM 205
Milwaukee, WI 53202

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE

2011 NOV 15 AM 11:34

RONALD D. LEONHARDT
CITY CLERK

C.I. File 11-S-226

This letter is requesting and wishes to appeal this decision with the City of Milwaukee.

I had submitted a claim on August 4, 2011 regarding in the amount of \$708.52, relating to damage sustained to my vehicle when it allegedly struck a large, wide and deep pothole on Sunday, July 31, 2011 at/near 60th street between West Bender Road and West Douglas Avenue. My claim was denied.

The damage allows me to wait numerous hours for assistance and out of pocket cost that was cause by the City of Milwaukee.

The letter that I received from your office on November 14, it stated that your investigation reveals that the infrastructure services Division reviewed their records and those of the DPW call center relative to this incident; I am sure that DPW came after the complaints call on Monday, August 1, because when I return back to the scene to take pictures the potholes had fresh tar. My argument is the City Of Milwaukee, DPW cause damage (potholes) when my vehicle struck a pothole on July 31, 2011 before the complaint occurred. I am requesting for the funds of \$708.52.

Your assistance regarding this matter is appreciated.


Loretta Hays-Powell

August 4, 2011

CITY OF MILWAUKEE
2011 AUG -8 PM 3: 52
RONALD D. LEONHARDT
CITY CLERK

City Clerk

200 E. Wells, Room 205

Milwaukee, WI 53202-3567

This letter is requesting for a reimbursement from the City of Milwaukee that occur on Sunday, July 31, 2011, Approximately 1:10 pm on Bender Rd and W Douglass Ave N. 60th street.

As I was driving on Bender Rd N. 60th street I hit a pothole that put a hole in both tires and damaged both tires on the passage side on my 2007 Infiniti X35 Black. Both tires was on a flat, which I had to call AAA emergency Road Service to have the car tow to Infiniti North Shore at 1515 W Sliver Spring the same day the damage occurred.

The damage for both tires cost me a total of \$708.52. This funds that I do not have to pay the city for the damage that occur on the City Street. I'm so thankful that my mom did not get hurt or anyone else. We need to do a better job in making our street a safer place to drive.

Also my Infiniti logo that was placed on the front fell off and cracked. The dealer reported that they would have to replace the frame in order to get the same logo.

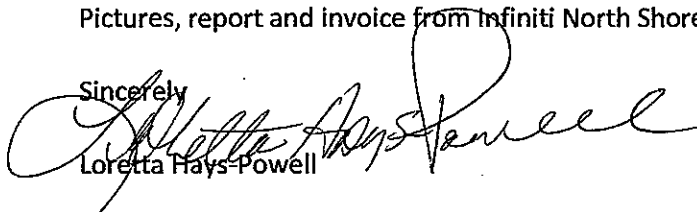
On Monday, August 1, I went back to take pictures of the pothole but the city came and fill the hole. I took picture of the fresh tar that the city came and filled the hole.

However I have pictures of the damage tires and report from AAA road services and Claim from Infiniti North Shore for the amount of \$708.52. I am requesting that I be reimburse for the damage that occur on our city street on Sunday, July 31, 2011.

Attached:

Pictures, report and invoice from Infiniti North Shore.

Sincerely



Loretta Hays-Powell

3764 North 84th Street

Milwaukee, WI 53222

414-287-2524 work

CITY OF MILWAUKEE
RECEIVED
2011 AUG -9 PM 1:24
OFFICE OF
CITY ATTORNEY



Infiniti North Shore

(A North Shore Autos LLC Company)
 1515 West Silver Spring Dr. • P.O. Box 170230 • Glendale, WI 53217
 414-351-3000
 infinitinorthshore.com



CELL: 414-287-2524

CUSTOMER NO. 7080	ADVISOR BRADLEY BARANOWSKI	TAG NO. 111	INVOICE DATE 08/02/11	INVOICE NO. INCS39697	
LORETTA POWELL 3764 N 84TH ST MILWAUKEE, WI 53222 TTAPMIN@AOL.COM RESIDENCE PHONE 414-535-9040 BUSINESS PHONE COMMENTS	LABOR RATE	LICENSE NO. 278-REV	MILEAGE 101,893	COLOR BEIGE/	
	YEAR / MAKE / MODEL 07/INFINITI/M35/4DR SDN AWD			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.O. NO. J N K A Y 0 1 F 8 7 M 4 5 3 8 2 0			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.	P. O. NO.	R. O. DATE 08/01/11		
				MO: 101896	

TOTALS-----

*****	TOTAL LABOR	139.95
* [] CASH [] CHECK CK NO. [] *	TOTAL PARTS	522.60
* [] VISA [] MASTERCARD [] DISCOVER *	TOTAL SUBLET...	0.00
* [] AMER XPRESS [] OTHER [] CHARGE *	TOTAL G.O.G....	0.00
*****	TOTAL MISC CHG.	8.40
	TOTAL MISC DISC	0.00
	TOTAL TAX.....	37.57
	TOTAL INVOICE \$	708.52

SERVICE DEPARTMENT HOURS:

Monday - Thursday
7:30 AM - 7:00 PM

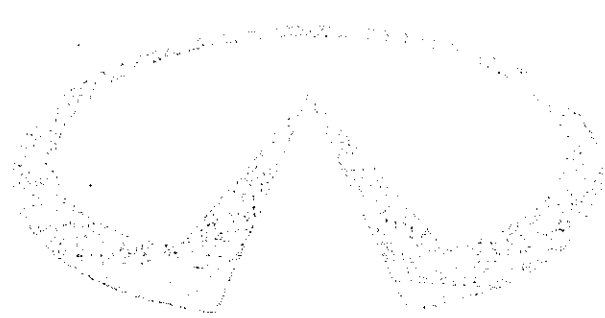
Friday
7:30 AM - 6:00 PM

Saturday
8:00 AM - 1:00 PM

CAR PICK UP UNTIL
6:00 PM Friday
5:00 PM Saturday

THANK YOU FOR YOUR BUSINESS!!

CUSTOMER SIGNATURE



THANK YOU
FOR YOUR
PATRONAGE!
HAVE A
NICE
DAY!

DISCLAIMER OF WARRANTIES

The seller hereby expressly disclaims all warranties, either expressed 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 said products.

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.

AL BUSINESS PUBLISHERS • 1-800-541-0629 • FORM U (10/09)

424342080687
 INFINITI NORTH SHORE
 1515 W. SILVER SPRING
 GLENDALE, WI 53209
 414-351-3000

Ref #
 Sale
 Entry Method: S
 Agent Code: S
 Batch: S
 Agent ID: 300000062270
 ID: 001

XXXXXXXXXXXX

id: 029097
 id: Online



Infiniti North Shore

(A North Shore Autos LLC Company)

1515 West Silver Spring Dr. • P.O. Box 170230 • Glendale, WI 53217

414-351-3000

infinitinorthshore.com



INFINITI

CELL: 414-287-2524

CUSTOMER NO. 7080	ADVISOR BRADLEY BARANOWSKI	TAG NO. 112	INVOICE DATE 08/02/11	INVOICE NO. INCS39697	
LORETTA POWELL 3764 N 84TH ST MILWAUKEE, WI 53222 TTAPMIN@AOL.COM RESIDENCE PHONE: 414-535-9040	LABOR RATE	LICENSE NO. 278-REV	MILEAGE 101,893	COLOR BEIGE/	
	YEAR / MAKE / MODEL 07/INFINITI/M35/4DR SDN AWD			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. JNKAY01F87M453820			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.		P.O. NO.	R.O. DATE 08/01/11	
BUSINESS PHONE	COMMENTS				
				MO: 101896	

JOB# 1 CHARGES

LABOR
1.05INZ FRONT SUSPENSION TECH(S):85 50.00
C.S. THAT THE VEHICLE HIT A POTHOLES; CHECK AND ADVISE ON SUSPENSION AND BODY. FOUND BOTH PASS SIDE TIRES TO HAVE IMPACT POINTS ON THE SIDE WALLS; NEED TO REPLACE TWO TIRES. REPLACED PASS SIDE TIRES WITH CONTINENTAL EXTREME CONTACT; MATCHED TO DRIVER'S SIDE TIRES.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
	2	2454518	OPT CONT DWS 96Y	261.30	522.60
TOTAL - PARTS					522.60

JOB# 1 TOTALS

LABOR	50.00
PARTS	522.60
JOB# 1 JOURNAL PREFIX INCS	
JOB# 1 TOTAL	572.60

SERVICE DEPARTMENT HOURS:

Monday - Thursday
7:30 AM - 7:00 PM

Friday
7:30 AM - 6:00 PM

Saturday
8:00 AM - 1:00 PM

CAR PICK UP UNTIL
6:00 PM Friday
5:00 PM Saturday

JOB# 2 CHARGES

LABOR
2+01INZ112 4 WHEEL ALIGNMENT TECH(S):85 89.95
CUSTOMER REQUESTS PERFORM 4 WHEEL ALIGNMENT. PERFORMED 4 WHEEL ALIGNMENT PER RECOMENDATION FOR OPTIMAL TIRE WEAR-INCLUDES UNDERCAR INSPECTION OF SUSPENSION AND STEERING COMONETS.SET ALL ALIGNMENT ANGLES TO FACTORY SPECIFICATIONS

LABOR	89.95
JOB# 2 JOURNAL PREFIX INCS	
JOB# 2 TOTAL	89.95

MISC

CODE	DESCRIPTION	CONTROL NO	PRICE
JOB # A	100 ENVIROMENTAL CHARGE		8.40
TOTAL - MISC			B.40

THANK YOU FOR YOUR PATRONAGE!

HAVE A NICE DAY!

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$720.00 (+TAX)

COMMENTS
DROP OFF
RE-GLUED FRONT INFINITI EMBLEM BACK TO GRILLE; GRILLE DAMAGED IN TWO PLACES; EMBLEM MAY COME OFF; CUSTOMER ADVISED.

DISCLAIMER OF WARRANTIES

The seller hereby expressly disclaims all warranties, either expressed 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 said products.

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.

AV BUSINESS PUBLISHERS • 1-800-541-5623 • FORM U (4/02)



The Auto Club Group
1 Auto Club Drive
Dearborn, Michigan 48126-2694

August 1, 2011

Loretta Powell
3764 N 84th Street
Milwaukee, WI 53222

Dear Loretta Powell,

This letter is to acknowledge your recent request for information regarding your call for Emergency Road Service. Club records reflect we received the following call for service under your membership:

Call #	Date	Time
224677	7/31/2011	1:10PM
Phone	Service Required	Station
(414) 467-5721	Towing Service	Jimmy's Towing
Vehicle Information (Yr Make Model)		
2007 Infiniti X35 Black		
Breakdown Location:		
W Douglas Ave & N 60th Street, Milwaukee,WI		
Destination:		
Infiniti North Shore: 1515 W Silver Spring Drive, Milwaukee,WI		

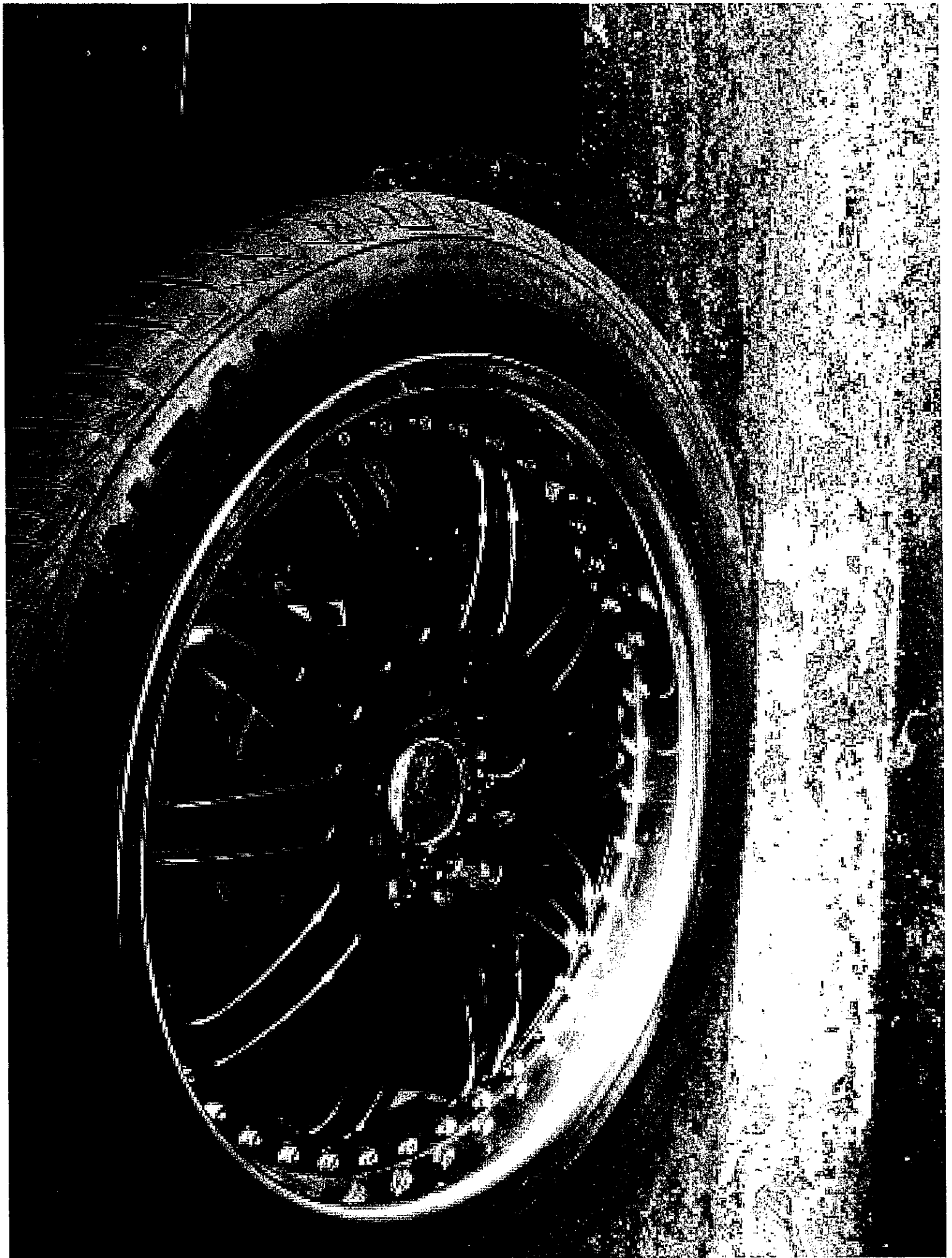
We hope that you will continue to call on AAA, and the next time you request service we deliver the dependable road service you expect. We value your membership and look forward to meeting your service needs in the future. If further discussion is needed, please feel free to contact me at the toll free number listed below.

Sincerely,
ERS Member Relations
866-222-2273

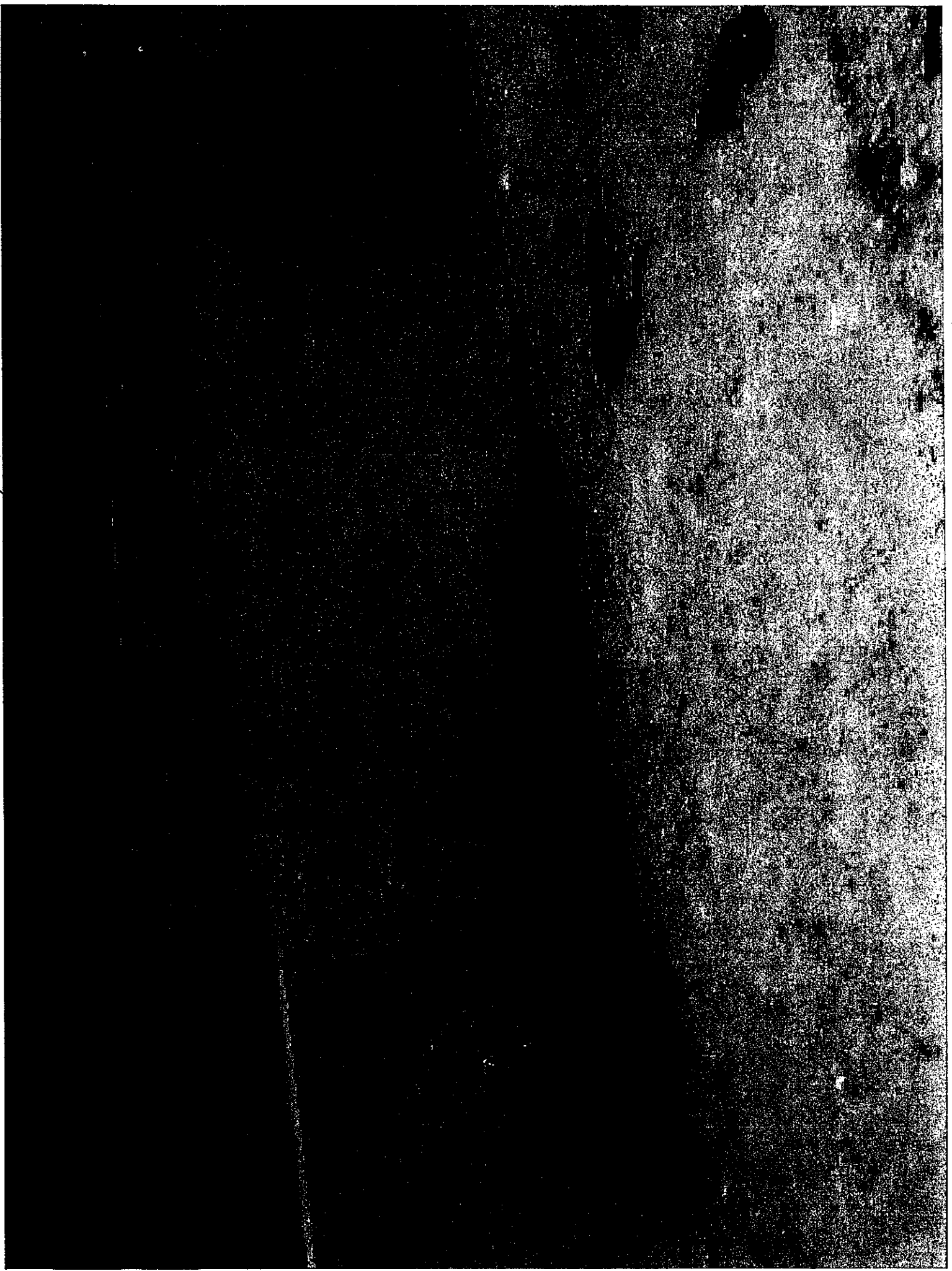
COACHMAN'S MOUNTAIN 00001







WYBY T-11 R018 HFT-11 YMC MCDONT





OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.