

City of Milwaukee  
Office of the City Attorney  
200 East Wells Street – Room 205  
Milwaukee WI 53202

Dear Mr. Langley,

This letter is being sent in response to your letter of November 7, 2008. I am appealing your decision for reasons indicated below.

CITY OF MILWAUKEE  
RECEIVED  
OFFICE OF  
CITY ATTORNEY  
2008 DEC -3 PM 3:30

There were a number of situations of severe weather conditions accompanied by very high winds that damaged trees resulting in broken and fallen tree limbs since you indicate you inspected the trees in the 3000 block of North 41<sup>st</sup> Street. In Addition, there were a number of trees that had fallen limbs including the trees on the west side of North 41<sup>st</sup> street which include Mary Ryan's Boys and Girls Club.

Severe damage was done to a number of trees in our block as well as surrounding blocks in our neighborhood after the severe weather conditions. City crews picked up a large number of fallen limbs since your inspection.

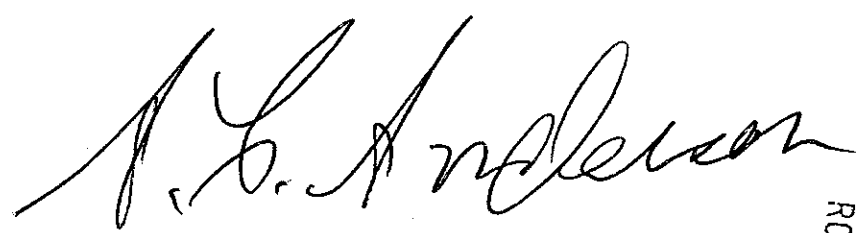
The tree limb that fell on my car while it was legitimately parked in front of the home we own at 3044 North 41<sup>st</sup> Street is the responsibility of the City of Milwaukee. As a home owner and taxpayer I am requesting that I be paid for the damage to my car caused by the City negligence in not inspecting the trees for limb damage after the severe weather and high winds that occurred well after your last inspection of the trees in 2007.

Sincerely,

Mr. A.C. Anderson

C.I. FILE NO. 08-5-609

NOV-29-08



CITY OF MILWAUKEE  
2008 DEC -3 PM 1:37  
RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE

2008 JUL 25 AM 10:00

RONALD D. LEONHARDT  
CITY CLERK

July 25, 2008

A.C. Anderson  
3041 North 41<sup>st</sup> Street  
Milwaukee, WI 53210  
414-507-1455 (cell)

TO WHOM IT MAY CONCERN:

On Wednesday, July 23, 2008 at approximately 3:45 p.m. I was sitting outside my home located at 3044 North 41<sup>st</sup> in Milwaukee, WI., when all of a sudden a big limb fell from a tree on the trunk of my car which is a Custom LaSabre Buick, 2003, breaking out the back window of the car and denting my trunk.

I called the police and Mr. Mike Engelbart, Urban Forestry District Manager for the City of Milwaukee came out and looked at the damages and took pictures.

I wish to file a claim against the City of Milwaukee in the amount \$1,954.95 which has been estimated to repair the damages.

I have enclosed the following:

- Vehicle registration
- Incident # 080250152 Police Report
- Estimate from Crest Cadillac for- \$1,954.95
- Estimate from Andrew Automotive body Repair for \$1,493.24

Thank you for your assistance in this matter. If you need additional information, I can be reached at (414)507-1455 at anytime.

Sincerely,



7-25-08

Mr. A.C. Anderson

Enclosures (4)

2008 JUL 25 PM 3:16  
OFFICE OF  
CITY ATTORNEY  
CITY OF MILWAUKEE  
RECEIVED

**Detailed History for Police Call #082051120 As of 7/25/2008 09:05:25**

Priority:3 Type:1530 - PROPERTY DAMAGE  
 Location:3044 N 41ST ST,MKE  
 LocCross:btwn W CHAMBERS ST and W BURLEIGH ST

Created:	07/23/2008 16:26:33	PT09	008077
Entered:	07/23/2008 16:30:57	PT09	008077
Dispatch:	07/23/2008 16:59:04	PD05	015031
Enroute:	07/23/2008 16:59:04	PD05	015031
Closed:	07/23/2008 17:19:12	PD13	013163

IC: PrimeUnit:7249 Dispo:C8 Type:1530 - PROPERTY DAMAGE  
 Agency:MWPD DAREA:D7 Squad Area:720 RptDist:2701  
 Case #:IR082050152  Detail

16:26:33 CREATE Location:3044 N 41ST ST,MKE Type:1530 Name:AC ANDERSON Phone:(414) 507-1455 DAREA:D7 RptDist:2701 TypeDesc:PROPERTY DAMAGE LocCross:btwn W CHAMBERS ST and W BURLEIGH ST Priority:2 Response:1PO Agency:MWPD LocType:S Contact?:In PERSON only

16:26:33 ALI E911Phne:414/511-4856 E911Pilot:414/511-4856 E911Add:3212 N. 32nd Street - W #CALLBK=(414)507-1455,MKE E911Subs:AT&T MOBILITY E911Srce:WPH2 AliLong:-87.970360 AliLatitude:43.077522

16:26:33 ALIGEO GeoLong:-87.970360 GeoLat:43.077522

16:26:33 ALIGEO GeoLong:-87.970360 GeoLat:43.077522 ClosestAdd:3223 N 45TH ST AddDesc:120 ft W ClosestInt:N 45TH ST / W AUER AV InterDesc:228 ft NW

16:30:57 ENTRY Comment:CALLER STATES TREE LIMB FELL ON HIS CAR DAMAGING HIS VEH/TREE LIMB IN STREET BLOCKING STREET/CITY FORESTRY NOTIFIED/TREE WAS ON CIT6Y PROPERTY/

16:30:57 -PREMIS Comment:PPR

16:30:59 NOMORE

16:32:32 SELECT

16:32:45 HOLD

16:42:32 SELECT

16:43:40 HOLD Priority:2-->3

16:50:33 SELECT

16:58:43 SELECT

16:59:04 DISPER 7249 Operator:018120 018536 OperNames:HIBBLER, ANTHONY T FARINA, ANDREW D

16:59:04 -PRIU 7249

16:59:04 -HOLD

17:08:35 CASE 7249 Incident#:IR082050152 Comment:018536

17:19:12 CLEAR 7249 Dispo:C8 DispoLevel:0

17:19:12 -CLEAR

17:19:12 CLOSE

**CONTACT INFO:**

Name	Phone	RAddr	Contact?	Language?	Contact3	Contact4
AC ANDERSON	(414) 507-1455		In PERSON only			

CREST CADILLAC INC.  
 12800 W. CAPITOL DRIVE/P.O. BOX 629  
 BROOKFIELD, WI 53005  
 OFFICE: 262-781-2800 FAX: 262-781-1047  
 FEDERAL ID.#39-1361550

CD LOG NO 7567-1      DATE 07/24/08

SHOP: CREST CADILLAC	INSP DATE: 07/24/08
ADDRESS: 12800 WEST CAPITOL DRIVE	CONTACT: DAVE CESEL
PO BOX 629	PHONE 1: (262)781-2800
CITY STATE: BROOKFIELD, WI	FAX: (262)781-1047
ZIP: 53005-	

OWNER: ANDERSON, A.C.	HOME PHONE: (414)447-1365
ADDRESS: 3044 N. 41ST ST.	WORK PHONE: (414)507-1455
CITY STATE: MILWAUKEE, WI	
ZIP: 53210	

POINT OF IMPACT: 7

LIC#: 508KPM	STATE: WI	VIN: 1G4HP52K334192498
BODY COLOR: LT BRONZE		MILEAGE: 50,000
CONDITION: GOOD		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

2003 BUICK LE SABRE      CUSTOM 4DOOR SEDAN      6CYL GASOLINE 3.8  
 CODE: S4343A/D OPTNS A/24ULKI

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
DRIVER POWER SEAT	REMOTE KEYLESS ENTRY SYSTEM
STRG WHEEL MTD RADIO CONTROLS	ALARM SYSTEM

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
RI	0180		MLDG,ROCKER PANEL	LT R&I ASSEMBLY				0.4	1
NG	0369		BACK GLASS,HEATED	NAGS DB9619-GT	278.15			2.2	1
E	0370	02	SEALANT KIT,BACK GLASS	12346392 GM PART	52.63			INC	1
E	0371		MLDG ASSY,BACK GLASS	25701029 GM PART	73.90			INC	1
I	0389		PANEL,QUARTER	LT REPAIR				8.0	*1
L	0389	13	PANEL,QUARTER	LT REFINISH				3.7	4
RI	0397		DOOR,FUEL FILLER	LT R&I ASSEMBLY				0.3	1
I	0479		LID,REAR DECK	REPAIR				1.0	*1

2003 BUICK LE SABRE CUSTOM 4DOOR SEDAN  
 CD LOG NO 7567-1

L 0479	LID, REAR DECK	REFINISH		2.6 4
RI 0533	TAILLAMP ASSEMBLY	LT R&I ASSEMBLY		0.3 1
RI 0550	LAMP ASSEMBLY, BACK UP	R&I ASSEMBLY		0.4 1
RI 0566	REAR BUMPER COVER	R&I R&I ASSEMBLY		1.0 1
SB M07	PINSTripES-TAPE	SUBLET REPAIR	125.00*	1
L M14	CORROSION PROTECTION	REFINISH		0.5*4
I M69	GLASS CLEANUP	REPAIR		1.0*1

15 ITEMS

MC MESSAGE(S)

02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO  
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				126.53
OTHER PARTS				278.15
PAINT MATERIAL				217.60
PARTS & MATERIAL TOTAL				622.28
TAX ON PARTS & MATERIAL @			5.100%	31.74
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	4.6	10.0	759.20
2-MECH/ELEC	100.00			
3-FRAME	52.00			
4-REFINISH	52.00	6.8		353.60
5-PAINT MATERIAL	32.00			
LABOR TOTAL				1,112.80
TAX ON LABOR		@	5.100%	56.75
SUBLET REPAIRS				125.00
TAX ON SUBLET		@	5.100%	6.38
TOWING				
STORAGE				
GROSS TOTAL				1,954.95
NET TOTAL				1,954.95

SHOPLINK U4126 ES CD LOG 7567-1 DATE 07/24/08 08:42:58AM R6.37 CD 05/08

HOST LOG

(C) 1998 - 2007 AUDATEX NORTH AMERICA, INC.

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

ANDREW AUTOMOTIVE - BODY REPAIR CENTER  
1621 W. LA SALLE ST.  
MILWAUKEE, WI 53209  
PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 17913-1 DATE 07/24/08

SHOP: ANDREW AUTO BODY REPAIR  
ADDRESS: 1621 W. LASALLE ST.  
CITY STATE: GLENDALE, WI  
ZIP: 53209-

INSP DATE: 07/24/08  
CONTACT: JUSTIN RUPP  
PHONE 1: (414)540-2559  
FAX: (414)228-7420

OWNER: ANDERSON, AC  
ADDRESS: 3044 N 41ST ST  
CITY STATE: MILWAUKEE, WI  
ZIP: 53210

HOME PHONE: (414)447-1365  
CELL PHONE: (414)507-1455

CLAIM#: JR WALK IN  
POINT OF IMPACT: 0

TYPE OF LOSS: /DRV

RENTAL ASSISTED: NO

LIC#: 508KPM STATE: WI  
BODY COLOR: GOLD  
CONDITION: GOOD

VIN: 1G4HP52K334192498  
MILEAGE:  
ACCTNG CTL#:

DRIVEABLE: YES  
PROD.DATE: 05/03

VEH. INSP#: NONE  
PAINT CODE: NOT NOTED

*=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

THIS IS AN INITIAL QUOTE, NOT A GUARANTEED FINAL PRICE

2003 BUICK LE SABRE CUSTOM 4DOOR SEDAN 6CYL GASOLINE 3.8  
CODE: S4343A/D OPTNS A/24ULKI

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES  
DRIVER POWER SEAT  
STRG WHEEL MTD RADIO CONTROLS

TWO-STAGE - INTERIOR SURFACES  
REMOTE KEYLESS ENTRY SYSTEM  
ALARM SYSTEM

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
NG	0369		BACK GLASS,HEATED	NAGS DB9619-GT	278.15			2.2	1

2003 BUICK LE SABRE CUSTOM 4DOOR SEDAN  
 CD LOG NO 17913-1

EC 0370	02	SEALANT KIT, BACK GLASS	ECONOMY PART	25.00*	INC 1
E 0371		MLDG ASSY, BACK GLASS	25701029 GM PART	73.90	INC 1
I 0389		PANEL, QUARTER	LT REPAIR		4.5*1
L 0389	13	PANEL, QUARTER	LT REFINISH		3.7 4
BR 0397		DOOR, FUEL FILLER	LT BLEND REFINISH		0.2 4
BR 0479		LID, REAR DECK	BLEND REFINISH		1.3 4
RI 0483		CYL, DECK LID LOCK	R&I ASSEMBLY		0.6 1
RI 0548		FILLER, TAILLAMP HSG	LT R&I ASSEMBLY		0.2 1
RI 0533		TAILLAMP ASSEMBLY	LT R&I ASSEMBLY		0.3 1
RI 0550		LAMP ASSEMBLY, BACK UP	R&I ASSEMBLY		INC 1
RI 0566		REAR BUMPER COVER	R&I R&I ASSEMBLY		1.0 1
I M07		PINSTRIPES-TAPE	SUBLET REPAIR	5.00*	0.5*1
		>> DOES NOT INCLUDE PATRIOTIC SITTING LADY DECAL			
I M14		CORROSION PROTECTION	SUBLET REPAIR	10.00*	0.3*1*
EC M17		COVER CAR EXTERIOR	ECONOMY PART	5.00*	INC*4*
EC M60		HAZARD. WSTE. REM.	ECONOMY PART	3.00*	1*
I M69		GLASS CLEANUP	REPAIR		1.5*1

17 ITEMS

MC MESSAGE(S)

02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO  
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS		73.90
OTHER PARTS		311.15
PAINT MATERIAL		166.40
PARTS & MATERIAL TOTAL		551.45
TAX ON PARTS & MATERIAL @	5.600%	30.88

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	4.3	6.8	577.20
2-MECH/ELEC	98.00			
3-FRAME	52.00			
4-REFINISH	52.00	5.2		270.40
5-PAINT MATERIAL	32.00			
LABOR TOTAL				847.60
TAX ON LABOR		@	5.600%	47.47
SUBLET REPAIRS				15.00
TAX ON SUBLET		@	5.600%	0.84
TOWING				
STORAGE				

GROSS TOTAL 1,493.24

NET TOTAL 1,493.24

SHOPLINK UG202 ES CD LOG 17913-1 DATE 07/24/08 09:20:07AM R6.37 CD 06/08

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

HOST LOG

(C) 1998 - 2007 AUDATEX NORTH AMERICA, INC.

2003 BUICK LE SABRE CUSTOM 4DOOR SEDAN  
CD LOG NO 17913-1

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

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**WISCONSIN**

**Certificate of Vehicle Registration**

Plate Number 508KPM	Registration AUT AUT	Chassis AUTO	Gross Weight Year 2003	Period A	Make BUIC	Product Number 58309062421	Registration Number R735171590546
Vehicle Identification Number 1G4HP52K334192498						Color BRONZE	Fleet No.
						Expiration Date 08/15/2008	Amount Received \$ 65.00

2238045

ANDERSON A C  
3044 N 41ST ST  
MILWAUKEE, WI 53210-4128

This Registration Certificate is not a  
Title. Not valid for Transfer of  
Ownership.  
Contact the 414-266-1148  
Division of Motor 608-261-2833  
Vehicles at 800-924-3570  
www.dot.wisconsin.gov

This Certificate of Registration was issued by an agent authorized to electronically process vehicle registration transactions for the Wisconsin Department of Transportation. This is a valid Certificate of Registration.

SERVICE FEE RECEIPT

A customer service fee of \$6 was paid to Envirotest Wisconsin LLC to provide registration renewal services. This fee is in addition to the normal charges incurred to renew a vehicle's registration with the State of Wisconsin.



OFFICE OF THE CITY CLERK  
Milwaukee, Wisconsin

# INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a state-law claim against the City, a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of the instruction sheet. Generally the statute requires the claimant to serve on the City Clerk a document stating the circumstances of the claim. The document must be signed by the claimant, or his/her agent or attorney, and should be served within 120 days of the event.

The claimant must also present to the City Clerk 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.)

Submitting the following additional information will allow the City to act on your claim more promptly:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number the claimant can be reached during business hours.
3. As detailed a description of the incident as possible, including the date, time and location.

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 to determine 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.



H.C. ANDERSON  
3044 N. 41st  
Milwaukee, WI 53210

CITY OF MILWAUKEE  
RECEIVED

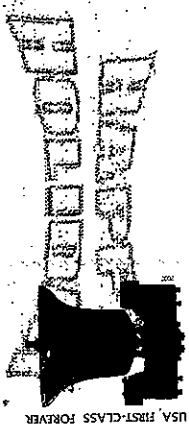
2008 DEC -3 AM 11:17

OFFICE OF  
CITY ATTORNEY

*Claims*

532041324

MILWAUKEE WI 532  
02 DEC 2008 PM 4 L



CITY OF MILWAUKEE  
OFFICE OF THE CITY ATTORNEY  
800 CITY HALL  
800 EAST WELLS STREET  
MILWAUKEE WI 53202-3551