

CITY OF MILWAUKEE

Form CA-43

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March 2, 2005

Steven Fowlkes
8609 West Mill Road
Milwaukee, WI 53225

RE: Steven Fowlkes
C.I. File No. 04-V-183

Dear Mr. Fowlkes:


We have received your claim in the amount of \$3,637.36, relating to damage sustained to your vehicle on November 18, 2004 when it collided with a City police vehicle at North 76th Street and West Acacia.

Our investigation reveals the Wisconsin Motor Vehicle Accident Report completed as a result of this incident noted that the Milwaukee police vehicle was operating as an emergency vehicle with its emergency lights and siren activated. The police officer slowed and when he noted the intersection was clear he proceeded. A vehicle proceeding westbound on West Acacia failed to yield the right-of-way to the emergency vehicle. The primary liability for this accident rests with the driver of the vehicle on West Acacia who failed to maintain lookout and yield the right-of-way to the police vehicle that was operating as an emergency vehicle. As such, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter 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 OVERHOLT
Investigator Adjuster

RMO:beg
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