GRANT F. LANGLEY City Attorney

MIRIAM R. HORWITZ ADAM B. STEPHENS MARY L. SCHANNING JAN A. SMOKOWICZ Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

November 16, 2017

Arellano & Phebus, S.C. Douglas J. Phebus, Esq. 1468 North High Point Road, Suite 102 Middleton, WI 53562

Mailed 11-17-17

RE:

C.I. File Nos. 1032-2017-1739; 1032-2017-1750

Communication from Attorney Douglas J. Phebus on behalf of Ana Maria Marquez Rodriguez and Jairo de Marcos Marquez

Dear Attorney Phebus:

We have now received your notice of claims in the amount of \$500,000.00 from a loss on June 9, 2017.

The Wisconsin Motor Vehicle Accident Report completed as a result of this incident notes that the Milwaukee Police Department squad car was operating as an emergency vehicle with lights and siren activated. It entered the intersection. The car driven by your client failed to yield the right of way to the squad car and was cited for this. The liability for this accident is upon your client. As such, the City cannot accept liability for the damages. Therefore, we are denying your claims.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

NTO A THE FORT

STEVEN M. CARINI Investigator Adjuster

SMC:mal

1032-2017-1739:244625



STUART S. MUKAMAL JOHN J. HEINEN

SUSAN E. LAPPEN PATRICIA A. FRICKER

HEIDI WICK SPOERL

GREGG C. HAGOPIAN

ELLEN H. TANGEN

KATHRYN Z. BLOCK KEVIN P. SULLIVAN

THOMAS D. MILLER ROBIN A. PEDERSON JEREMY R. MCKENZIE

NICHOLAS P. DESIATO JOANNA FRACZEK JENNY YUAN

PETER J. BLOCK

KAIL J. DECKER ALLISON N. FLANAGAN PATRICK J. LEIGL

HEATHER H. HOUGH

ANDREA J. FOWLER

NAOMI E. GEHLING CALVIN V. FERMIN

PATRICK J. MCCLAIN

BENJAMIN J. ROOVERS ELLENY B. CHRISTOPOULOS RACHEL S. KENNEDY

TYRONE M. ST. JUNIOR HANNAH R. JAHN

SAVEON D. GRENELL

Assistant City Attorneys

JAY A. UNORA

August 29th, 2017

City Attorney Grant Langley City Hall, Room 800 Milwaukee, Wisconsin

Re: Notice of Circumstances

Ana M. Marquez & Jairo D. Marcos-

Marques v. Chief of Police Edward FLYNN,

et al.

I am forwarding to your office a NOTICE OF Circumstances filed by the above individual. This document was served on the Civil Investigations Section on August 29th, 2017.

An investigation in this matter will not be commenced until advised to do so by your office. This memo serves as a request for representation.

Sincerely,

EDWARD FLYNN

Chief of Police

Alan CARSKY

Police Officer

Internal Affairs-Civil Investigations Section