

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUESTUninsured Motorist Claim Under Sec. 66.189 Stats.CASE NAME: Dwaine AllisonDATE OF LOSS: 07/29/96C.I. FILE NO: 96-L-176CCMS FILE NO: 95-96-695AMOUNT REQUESTED: \$12,000.00PAYABLE TO: Dwaine and Deborah Allison and Derzon, Menard & Noonan, S.C.-Trust Account**REASON FOR REQUEST:**

City of Milwaukee employee, Dwaine Allison, was in the scope of his employment for the City of Milwaukee and working for the City of Milwaukee Water Department in the vicinity of South 25th Street and West Mineral Street when the uninsured motorist, Lavell Wilcher, drove too close to the work area and struck Mr. Allison with his vehicle. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee under Sec. 66.189, Stats. and the City of Milwaukee's Uninsured Motorist Self-Insurance Plan.

Mr. Allison sustained injuries to his knee and back. The claimed medical expenses and lost wages total \$65,743.84. The treating doctor has also indicated that the back injury is permanent and that a 15 percent permanency rating is appropriate for the low back injury.

Mr. Allison had personal automobile insurance with American Family Mutual Insurance Company. After the American Family insurance policy was received and reviewed, it was determined that the coverage provided to Mr. Allison should be pro rated, with the City of Milwaukee being responsible for 1/5 of Mr. Allison's claim. Accordingly, the amount of this Settlement Request represents the City of Milwaukee's pro rata share of the \$60,000 settlement.

DATE: 02/19/01BY: Nick G. Kotsonis

Nick G. Kotsonis
Crivello, Carlson, Mentkowski
& Steeves, S.C.