

CITY OF MILWAUKEE

2011 DEC 28 PM 1:02

RONALD S. LEONARD
CITY CLERK

December 22, 2011

Milwaukee City Clerk
200 E. Wells Street, Room 205
Milwaukee, WI 53202

Dear Mr. Grant Langley and Mr. Steven Carini:

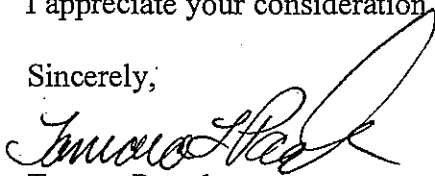
RE: Appeal decision regarding Claim: C.I. File No. 11-S-333

Thank you for reviewing my claim in the amount \$228.15 for damage sustained to my vehicle on 10/29/211 when it collided with a pothole on 10th Street near the courthouse. I am writing to appeal your decision of denying this claim.

In your letter dated 12/13/2011, you state that the City had no notice of this hazard prior to 10/29/2011. I have two reasons for appealing your decision: 1) There very well may not be a notice of the pothole prior to 10/29/2011 as we collided with the pothole around 8:30pm, which is well after normal business hours for the City; and 2) There is visible evidence that the pothole was fixed within about 1.5 weeks of 10/29/2011. The evidence is still visible today that there was a large pothole and that it had been fixed. Whether there is an official notice of the pothole in City records or not is not something I can control. The visible fix should be proof in itself. I insist that the City of Milwaukee reimburse this amount as we were travelling at the posted speed limit on a road maintained by the City, and that there is still visible evidence of the fix.

I appreciate your consideration of this appeal and look forward to hearing from you soon.

Sincerely,



Tamara Pacada
2323 W. Club View
Glendale, WI 53209

Cell: (916) 601-7155

OFFICE OF
CITY ATTORNEY

2011 DEC 28 PM 3:17

CITY OF MILWAUKEE
RECEIVED

November 15, 2011

CITY OF MILWAUKEE
2011 NOV 17 PM 4:07
RONALD D. LEONHARDT
CITY CLERK

City Clerk
Attn: Claims
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

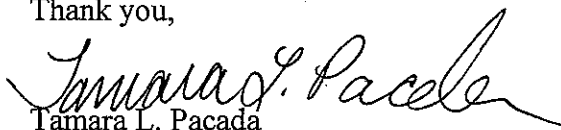
To Whom it May Concern:

On Saturday, October 29th at approximately 8:00 pm, I was travelling north on 10th Street in the left lane at the posted speed limit. Just after passing the courthouse, I drove over a very large and deep pothole that was on the left-hand side of the left lane. The car jolted a great deal and my family members in the car all exclaimed that the pothole definitely had to have done damage to the car. I stopped the car and checked for noticeable damage, but there was no visible damage; however, as I drove home (Glendale), the car began veering to the left as if the tire was flat or the alignment was severely off.

When we returned home, I checked the tire and it was flat. In put air in the tire, but could not bring it in to get checked until Monday because there was not a body shop that I could find that was open. I brought the car to John Amato Nissan in Glendale and they informed me that the inside rim of the tire was bent in two places and creating gaps, which was letting the air out at a pretty fast pace. They informed us that this very typical damage that is caused by a pothole. They ordered the replacement rim, which we were told would take a few days to come in. We were given an estimate, which forced me to consider seeking reimbursement from the City of Milwaukee. I returned to the place where we hit the pothole, but it had already been filled. One can still see where the pothole was as it was clearly filled in very recently.

After learning what was wrong with the car, we felt it was too dangerous to drive, so we borrowed a vehicle from a family member and used that until November 8th when the tire was fixed, also by John Amato Nissan. The total cost to have the tire fixed was \$228.15, which included parts and service. I am seeking reimbursement of that amount - \$228.15 and the receipt is attached. Please contact me with questions.

Thank you,



Tamara L. Pacada
2323 W. Club View
Glendale, WI 53209

(916) 601-7155
TLPacada@hotmail.com

CITY OF MILWAUKEE
RECEIVED
2011 NOV 18 PM 3:29
OFFICE OF
CITY ATTORNEY

CUSTOMER #: 50517

258138

JOHN AMATO NISSAN INC.

5200 N. Port Washington Road, Glendale, WI 53217
(414) 964-4400 · 1-800-992-7294
www.amatoauto.com

INVOICE

ALLAN PACADA
2323 W CLUBVIEW DRIVE
GLENDALE, WI 53209
HOME: 414-335-5963 CONT: N/A
BUS: CELL:

PAGE 1

SERVICE ADVISOR: 2457 JOEL SUPUTO



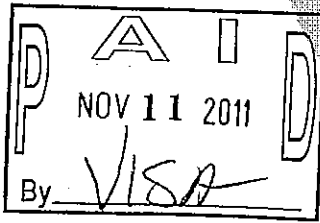
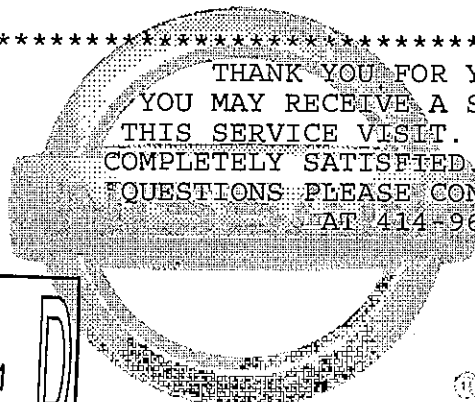
Table with columns: COLOR, YEAR, MAKE/MODEL, VIN, LICENSE, MILEAGE IN/OUT, TAG. Row 1: BLUE, 06, NISSAN SENTRA, 3N1CB51D36L576198, 77652/77652, T384.

Table with columns: DEL DATE, PRGB. DATE, WARR. EXP., PROMISED, PO NO., RATE, PAYMENT, INV. DATE. Row 1: 14MAY06 DD, 08NOV11, 105.00, CASH, 11NOV11.

Table with columns: R.O. OPENED, READY, OPTIONS: DLR:CAD-S ENG:1.8_Liter_Gas

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Row 1: A CUSTOMER REPORTS THAT LEFT FRONT TIRE IS LOSING AIR. 40 MOUNTED AND BALANCED TIRE ON RECONDITIONED RIM 4536 CN 15.00 15.00.

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Row 1: B NISSAN 27 POINT COURTESY INSPECTION 27N NISSAN 27 POINT COURTESY INSPECTION 4536 CN 0.00 0.00.



OFFICE CITY ATTORNEY
NOV 18 PM 3:29
CITY OF MILWAUKEE RECEIVED

Thank you for choosing John Amato Nissan Inc. for your vehicle's service. We appreciate the opportunity to serve you. If for any reason you are not completely satisfied please contact your Service Advisor immediately. Thank you again.



ALL PARTS NEW ORIGINAL EQUIPMENT UNLESS OTHERWISE SPECIFIED Thank You

Any warranties on the products sold hereby are those made of the manufacturer. As between the retail seller, JOHN AMATO NISSAN INC., and buyer, the product is to be sold as is, and the entire risk as to the quality and performance of the product is with the buyer. The seller expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in the sale of said products. The buyer acknowledges being so informed prior to the sale.

Table with columns: DESCRIPTION, TOTALS. Row 1: LABOR AMOUNT 15.00. Row 2: PARTS AMOUNT 201.05. Row 3: GAS, OIL, LUBE 0.00. Row 4: SUBLET AMOUNT 0.00. Row 5: SS / WD 0.00. Row 6: TOTAL CHARGES 216.05. Row 7: LESS INS./ADJUSTMENT 0.00. Row 8: SALES TAX 12.10. Row 9: PLEASE PAY THIS AMOUNT 228.15.

SERVICE HOURS MONDAY-FRIDAY 7:00 AM - 5:30 PM SAT 8:00 AM - 5:00 PM

BODY SHOP HOURS MONDAY-FRIDAY 7:30 AM - 5:00 PM SAT. BY APPOINTMENT ONLY

SALES HOURS MONDAY-FRIDAY 9:00 AM - 9:00 PM SAT 9:00 AM - 5:00 PM

CUSTOMER SIGNATURE

JOHN AMATO OLDS CADILLAC
5200 N PORT WASHINGTON
MILWAUKEE WI 53217

DATE: 11/11/11 TIME: 09:54
MERCHANT ID: JO55881740001

CREDIT CARD
VISA SALE

CARD# *****0278
EXPIRATION DATE **/**
SEQ: 770002
APPROVAL CODE: 90115A
ENTRY METHOD: SWIPED
AMOUNT: \$228.15

TOTAL AMOUNT: \$228.15

APPROVED 90115A

THANKS FOR YOUR BUSINESS

CUSTOMER COPY