

November 1, 2021

To Whom It May Concern:

I am requesting a hearing so I can do an in person appeal of the city attorney's denial of my notice of claim to be compensated due to the city's negligence in maintaining safe roads in the city of Milwaukee, which caused damage to my vehicle and caused me to lose hours from work. The basis of the city attorney rejecting my claim is incorrect and inconsistent with the evidence I submitted with my claim that proves I sustained damages to my vehicle due to negligence on behalf of the city of Milwaukee.

Sincerely,

Sarah Burns

CITY OF MILWAUKEE
201 MAY - 9 P.M. 17
CITY CLERK'S OFFICE

OFFICE OF CITY CLERK
201 MAY - 9 P.M. 17

Christy, Burns

1831 W. Fairmount Ave.

Milwaukee, WI 53209

MILW

4 Nov



1000



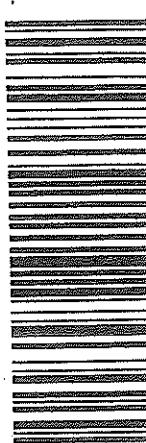
U.S. POSTAGE PAID
POW LETTER
MILWAUKEE, WI
53217
NOV 04 21
AMOUNT
\$4.33
R2305413755-25

CITY CLERK
OFFICE OF CITY CLERK

11 AM 11 PM 2:12

2021 NOV - 9 PM 4:21

CITY CLERK'S OFFICE
CITY OF MILWAUKEE



7021 0350 0000 9051 8175



PLAY STICKER ON ENVELOPE TO DRAFT
OF THE RECIPIENT ADDRESS HOLDING DOTTED LINE

CERTIFIED MAIL®

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

11/04/21 130400
11/04/21 130400

DATE: 4.30.2021

TO: CITY CLERK

ATTN: CLAIMS

200 E. WELLS STREET., ROOM 205
MILWAUKEE, WI, 53202-3567

TO: JOSHUA A. KAUL

WISCONSIN ATTORNEY GENERAL,
WISCONSIN DEPARTMENT OF
JUSTICE, 17 WEST MAIN STREET,
P.O. BOX 7857, MADISON, WI,
53707-7857

FROM: MS. SARAH BURNS

1831 W. FAIRMOUNT AVENUE
MILWAUKEE, WI, 53209
PHONE #414-736-9807
EMAIL: preciousjewel111@yahoo.
com OFFICE OF CITY ATTORNEY
6/21/21 10:00 AM

NOTICE OF CLAIM FILED PURSUANT TO WIS. STAT. §§ 893.80(1)&893.82

Please Take Notice, that the above-Named Claimant, MS. SARAH BURNS is a State OF Wisconsin CITY OF MILWAUKEE, Resident. and her eby files the foregoing Notice Of Claim for Damages to My Car Cau sed By The City Of MILWAUKEE, its Employees And there Agents fail ure to maintain safe Streets. This Negligence Caused Damage to My Car that I had to pay for. and I want to be Reimbursed for the Da mages I had to pay to get fined. All details are in this Notice o f Claim. This Notice Of Claim is filed with The CITY CLERK, ATTN: CLAIMS. CITY CLERK OF MILWAUKEE IN ACCORDANCE With § 893.80 (1). AND Also THE WISCONSIN ATTORNEY GENERAL, BOTH NAMED ABOVE AND AT The above stated Address, SENT TO YOU BY ME SIGNING THIS AND GETT ING THIS NOTICE OF CLAIM. NOTARIZED AND SENT TO YOU BOTH BY CERTIFI ED MAIL. THE WISCONSIN ATTORNEY GENERAL GETS A COPY ACCORDING TO § 893.82. THANK YOU.

CIRCUMSTANCES GIVING RISE TO CLAIM

On Tuesday February 2, 2021 I was driving to work heading North b ound on Teutonic Ave. in Milwaukee Wisconsin at about 8:40 AM. I

1 OF 5 PAGES.

1 OF 5 PAGES.

was in the left lane and I was going to make a left turn on to Silver Spring Drive, but just before I could pull in to the left turning lane there was a deep pot hole that I had to swerve around, and As I straightened back out and entered the left turning lane, I noticed the lane had not been plowed well. There were tire tracks in the snow and the middle of the lane was still piled with snow. I followed the snow tracks in to the lane and immediately I heard a loud "Bang" and then a second later an even louder "Bang". It was my tire, it had popped from dropping down and hitting the drain in the street and the jagged edge around the drain. The drain was deeper in the ground than the jagged edge around the drain. There also was a piece that was broken off one of the corners causing it to have a sharp edge. It hit both tires on the passenger side of the car, but when the second wheel hit it, it popped the tire. I wasn't sure if it had really popped so after driving through the intersection I pulled over to check my tire and it had indeed popped. I then called work to let them know what happened and that I would not be in that morning, possibly the afternoon. I then searched for my auto insurance information and gave them a call to let them know that I needed Roadside assistance to come and tow my car to the dealership because even though the right rear tire had burst upon impact, the right front tire was still inflated but it looked like there may have been a slow leak on the front tire. I was given an estimated time of Arrival from Roadside assistance, which was 1 hour and 10 minutes. While I was waiting I called the Buick dealership at 13000 W. Capital Drive. to see if they could fit me in that day. They said they could eventually but it wouldn't be right away. When road side assistance arrived he was only prepared to change a flat tire, I explained to him that I thought both of my rims might possibly be bent. He then checked my front tire and informed me it was still inflated. He then got the items he needed out of the van to put my spare tire on and proceeded to do so. As he took the right rear tire off he informed me that the rim did not look damaged, but they could look further at the dealership. He finished putting my spare tire on and I drove my car to the Buick Dealership. When I arrived it was determined that since the two tires on the back of the car did no

t match the tires on the front, that I should buy two tires so that the tread would match up and then all 4 tires would be the same. The service man called their warehouse to get the tires but, was informed that they only had one tire in stock. I would need to order the tire because they only had one available and I needed two. So I ordered two Michelin tires which were \$235.44 each, plus they would need to be mounted and balanced = \$54.00, and aligned = \$89.95, plus tax = \$33.33 which equals \$648.16. Also I lost 4 hours of work which = \$92.92. Which are lost wages I want to claim. A grand total of \$741.08 are my expenses due to damages I incurred due to the pot hole/ damaged drain on a Milwaukee Street.

STATEMENT OF CLAIM

1) Due to the CITY OF MILWAUKEE, its Employees and their Agents failure to maintain safe Streets, on The Street that my car was Damaged on. They Negligently fail to fix the Pot Hole in The Street and to fix The Drain in the Street. And when I had to Swerve around the Pot Hole due to the snow on the Street I could not see The Damaged Drain with the JAGGED EDGE, and my tires drove over it. and dropped down in to the street and hitting The Drain and the Jagged Edge around the drain that caused damage to my Tire. AND I Had to pay to get the tires replaced due to this damage. and I lost 4 Hours of work due to this damage. I want to be Reimbursed for the expenses I incurred due to the damaged drain that damaged my car tire.Which MILWAUKEE Negligence caused me to incur

STATEMENT OF RELIEF

2) Reimbursement for (2) Michelin Tires which were \$235.44 each, plus payment to have them mounted and balanced = \$54.00, and to be aligned which was \$89.95, plus tax = \$33.33 which equals \$648.16. Also I lost 4 Hours of work while I was getting the Tires fixed. That 4 Hours of work = \$92.92, for lost wages I am claiming. In total the amount I incurred is \$741.08. And I am asking you to reimburse Me for these expenses, I would like to be paid \$741.08. but I will accept half of the full \$741.08 because I understand this incident happened due to Milwaukee, its Employees and their Agents Negligence and was not intentional.I Also know by law I am intitled to the full amount reimbursed but will take half of what I had to pay due to this incident.

APPLICABLE TO THE CLAIM

3) Under Wisconsin Law, The Plaintiff in a Negligence case carries the burden of proof. To recover in Court, the Plaintiff must prove four elements: (a) a duty of care on the part of the defendant; (2) a breach of that duty; (3) a causal connection between the conduct and the injury; and (4) actual loss or damages resulting from the injury. *White V. UNITED STATES* , 148 F.3d 787,793 (7th. Cir. 1998). THIS law is universal and apply to every claim of negligence no matter if its a medical claim or damage to personal property due to the city of Milwaukee or its Employees or its Agents Negligence ~~to~~ keep Milwaukee Streets safe. They have a duty under Wisconsin Law to manage and keep the streets safe. they fail to do this and breach there duty of care to manage the streets safely. and this caused damage to my car and lost of 4 Hours of work while I was at the dealership paying to get my car fixed. I am intitled to relief.

MY EMPLOYMENT INFORMATION

4) If you need to know my work information please contact me. and I will give it to you. I am a "Medical Assistant". My Cell Phone Number is 414-736-9807 I have My Phone with me all the time. If you want to Email Me please send it to [preciousjewell111@yahoo.com]. Thank You.

PROOF OF THE AMOUNT I PAID DUE TO THIS DAMAGE-

B&Y BY COPY'S OF RECEIPTS- AND EVIDENCE OF POT HOLE & DRAIN

5) PLEASE SEE THE RECEIPTS FROM THE THAT I AM ATTACHING AND SENDING YOU ALONG WITH THIS NOTICE OF CLAIM. IT SHOWS A ITEMIZED LIST OF WHAT I PAID FOR DUE TO DAMAGE TO MY CAR TIRE. IT SHOWS I PAID A AMOUNT OF \$648.16. PLUS THE LOST OF 4 HOURS OF WORK DUE TO ME HAVING TO GET MY TIRE FIXED. WHICH = \$92.92 FOR 4 HOURS LOST WORK WHICH A GRAND TOTAL OF \$741.08 ARE MY EXPENSES DUE TO DAMAGES I INCURRED DUE TO THE POT HOLE- DAMAGED DRAIN ON A CITY OF MILWAUKEE STREET ON TUESDAY FEBRUARY 2, 2021.

6) THE POT HOLE AND DAMAGED DRAIN IS IN THE CITY OF MILWAUKEE. IN THE STREET NORTH BOUND ON TEUTONIC AVENUE. I WAS IN THE LEFT LANE AND I WAS GOING TO MAKE A LEFT TURN ON TO SILVER SPRING DRIVE. BUT JUST BEFORE I COULD PULL INTO THE LEFT TURNING LANE THERE WAS A DEEP POT HOLE THAT I HAD TO SWERVE AROUND AND WHEN I STRAIGHTENED BACK OUT AND ENTERED THE LEFT TURNING LANE I EVENTALLY HIT THE DAMAGED DRAIN IN THE STREET THAT DAMAGED MY TIRE.

7) I PLAIN ON SENDING YOU PICTURES OF THE POT HOLE AND THE DAMAGED DRAIN THAT IS IN THE STREET AT THE LOCATION DETAILED IN PARAGRAPH # (6) ABOVE IN AND ON PAGE 4. BUT I WORK ALOT AND MY TIMING MAY NOT ALLOW ME TO GET TO TAKE THE PICTURES I WANT TO SEND YOU. SO IF I MAY ASK YOU TO INVESTIGATE THAT LOCATION ON THAT STREET YOU WILL SEE THE DEEP POT HOLE AND THE DAMAGED DRAIN, IN THE STREET JUST AS I HAVE TOLD YOU ABOUT. AND THAT IS WHAT DAMAGED MY TIRE AND CAUSED ME TO INCUR \$741.08 IN EXPENSES DUE TO DAMAGE TO MY TIRE.

8) I DO PLAN ON TRYING TO TAKE THOSE AND SEND THEM TO YOU ALONG WITH THIS NOTICE OF CLAIM. IF I SEND THEM PLEASE REVIEW THEM WHEN YOU ADDRESS THIS NOTICE OF CLAIM FOR REIMBURSEMENT FOR THE EXPENSES I INCURRED DUE TO THE POT HOLE - DAMAGED DRAIN THAT CAUSED DAMAGE TO MY CAR TIRE. THANK YOU.

TO THE CITY ATTORNEY, OF MILWAUKEE. THE MAYOR OF
MILWAUKEE. OR THE COMMON COUNCIL OF MILWAUKEE

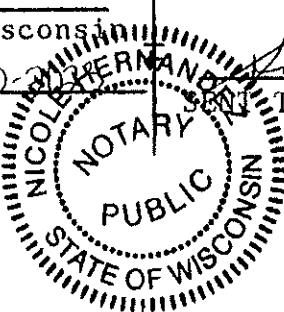
9) PLEASE TAKE NOTICE OF THE FACTS AND THE LAW AS IT APPLY TO THIS NOTICE OF CLAIM. AND THE LAW THAT HOLDS THE CITY OF MILWAUKEE, ITS EMPLOYEES AND ITS AGENTS RESPONSIBLE FOR DAMAGES CAUSED TO A CITIZEN. DUE TO THE CITY OF MILWAUKEE, ITS EMPLOYEES AND ITS AGENTS NEGLIGENCE IN FAILING TO MAINTAIN SAFE STREETS IN THE CITY OF MILWAUKEE. THEY HAD A DUTY TO INSURE THAT IT WAS NOT ANY DEEP POT HOLES AND DAMAGED DRAINS WITH SHARP JAGGED EDGES ON THEM THAT COULD DAMAGE A PERSONS CAR TIRES OR ANY PART OF THEIR CAR WHILE DRIVING ON A STREET WITHIN THE CITY OF MILWAUKEE. THEIR FAILURE TO DO THIS CAUSED DAMAGE TO MY CAR TIRES AND I INCURRED EXPENSES IN THE AMOUNT OF A TOTAL OF \$741.08. I WOULD LIKE TO BE REIMBURSED FOR THE MONEY I HAD TO PAY. AND 4 HOURS OF LOST WORK DUE TO ME HAVING TO GET MY CAR TIRE FIXED. PLEASE READ MY CLAIM AND THE FACTS AND THE EVIDENCE. IT ALL SUPPORTS MY FULL REIMBURSEMENT BUT I AM WILLING TO ACCEPT HALF OF THE TOTAL OF \$741.08 BECAUSE THIS WAS CAUSED BY THE CITY OF MILWAUKEE, ITS EMPLOYEES AND ITS AGENTS NEGLIGENCE AND WAS NOT DONE INTENTIONALLY. THANK YOU!

Subscribed and sworn to before me
this 30 Day of April,
2021 4:

RESPECTFULLY SUBMITTED
BY: MS. SARAH BURNS
DATE: 4.30.2021
SIGNATURE OF CLAIMANT BE LOW

Notary Public, State Of Wisconsin
My Commission Expires 9-10-2018

SIGNATURE OF CLAIMANT BE LOW



MIKE JUNEAU'S BROOKFIELD BUTICK
130800 W CAPITOL DR
BROOKFIELD, WI 53005
(262) 781-1388
MID 43130032288276

Term 10: 2
Merchant ID: 31308032288276

CREDIT CARD Sale

Application Label: VISA DEBIT
xxxxxx88811 Ex: XXXX

ATID: 00000000000000000000

VISA Entry Method: Contact

CHIP READ

ATC: 0232

AC: 09FEE537418608634

Total: \$ 69.99

02/05/21 16:48:24

Resp Code: 00

TUR: 880000000000

TSI: 4686

Auth: 000022 Appr Code: 00569

Approv: Online Batch#: 000116

BRIC #: 074XEBATXURJRY

CARDHOLDER COPY

RETAIN THIS COPY FOR STATEMENT
VERIFICATION



13000 W Capitol Dr Brookfield, WI 53005
Phone: (262) 781-1300

SERVICE DEPARTMENT HOURS
7:00 a.m. to 6:00 p.m.
Monday - Friday
8:00 a.m. to 2:00 p.m. Saturday

R/O Open Date	R/O Number
2/05/21	6034772/3
R/O Close Date	Status
2/05/21	Final
Mileage In	Mileage Out
116210	116210
Service Advisor / Tag #	
Kevin Lucas/748*W*	

Work Phone	Vehicle Identification Number
	W04GN5EC8B1066268
Home Phone	Delivery Date
414-372-1293	1/26/11
Body	Color
	GOLD
	License Number
	116VZD

Year	Make	Model
2011	BUICK	REGAL

DESCRIPTION OF SERVICE AND PARTS

Caused by
4 tire pressure sensors \$500 plus tax
Tech: Keith Z. (542)
Sub Total: .00

Please Note: #748 WAIT CREATED 2021-02-02 09:23:00AM TAKEN BY E
RIC LUNDQUIST SOP \$655 TOTAL

page 3 has tire changes

"Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53408-8911."

ADDITIONAL WORK AUTHORIZED BY:

NAME _____
DATE _____ TIME _____
NO. CALLED _____
NEW TOTAL ESTIMATE _____

WARRANTY ON PARTS AND LABOR 12 MONTHS OR 12,000 MILES

LABOR	173 . 95
PARTS	478 . 62
DEDUCTIBLE	.00
SUBLET	.00
SHOP SUPPLIES	14 . 00
HAZARDOUS MATERIALS	.00
SALES TAX OR TAX I.D.	33 . 33
SPECIAL ORDER DEPOSIT	.00
DISCOUNTS	.00
TOTAL DUE	699 . 90
VISA/MC/DISC 010509	699 . 90



X

MIKE JUNEAU'S BROOKFIELD

BUICK | GMC

13000 W Capitol Dr Brookfield, WI 53005
Phone: (262) 781-1300

SERVICE DEPARTMENT HOURS
7:00 a.m. to 6:00 p.m.
Monday - Friday
8:00 a.m. to 2:00 p.m. Saturday

R/O Open Date	R/Q Number
2/05/21	6034772/2
R/O Close Date	Status
2/05/21	Final
Mileage In	Mileage Out
116210	116210
Service Advisor / Tag #	
Kevin Lucas/748*W*	
Work Phone	Vehicle Identification Number
	W04GN5EC8B1066268
Home Phone	Delivery Date
414-372-1293	1/26/11
Body	Color
	Licence Number
2011	BUICK
REGAL	GOLD
116VZD	

BURNS, SARAH
1831 W FAIRMOUNT AVE
MILWAUKEE, WI 53209-5720

Year	Make	Model
2011	BUICK	REGAL

DESCRIPTION OF SERVICE AND PARTS		AMOUNT
Sub Total: 524.88		
#4 - 27PNZ01: ELECTRICAL		
C/S: LEFT REAR TAIL LIGHT BULB INOP, REPLACE		
Caused by		
bulb shorted		
Tech: Keith Z. (542)		30.00
Installed 20998089 :SL-N-BULB (02727-BOPCKT)	1@7.74	7.74
replace the left brake light bulb		
Sub Total: 37.74		
#5 - 38PNZ: PERFORM MULTI-POINT		
PERFORM MULTI-POINT INSPECTION		
MULTI POINT INSPECTION		
Caused by		
.		
all 4 tire pressure sensors are faulty		
.		
needs 4 tire pressure sensors		
Tech: Keith Z. (542)		
MULTI-POINT INSPECTION PERFORMED.		
Sub Total: .00		
#6 * 38GCZDECLI: DECLINED SERVICE		
ADDED OPERATION		

"Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53408-8911."

ADDITIONAL WORK AUTHORIZED BY:

NAME _____

DATE _____ TIME _____

NO. CALLED _____

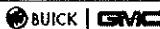
NEW TOTAL ESTIMATE _____

WARRANTY ON PARTS AND LABOR 12 MONTHS OR 12,000 MILES

LABOR	
PARTS	
DEDUCTIBLE	
SUBLET	
SHOP SUPPLIES	
HAZARDOUS MATERIALS	
SALES TAX OR TAX I.D.	
SPECIAL ORDER DEPOSIT	
DISCOUNTS	
TOTAL DUE	

X

MIKE JUNEAU'S BROOKFIELD



13000 W Capitol Dr Brookfield, WI 53005
Phone: (262) 781-1300

SERVICE DEPARTMENT HOURS
7:00 a.m. to 6:00 p.m.
Monday - Friday
8:00 a.m. to 2:00 p.m. Saturday

R/O Open Date	R/O Number
2/05/21	6034772/1
R/O Close Date	Status
2/05/21	Final
Mileage In	Mileage Out
116210	116210
Service Advisor / Tag #	
Kevin Lucas/748*W*	
Vehicle Identification Number	
W04GN5EC8B1066268	
Home Phone	Delivery Date
414-372-1293	1/26/11
Body	Color
	GOLD
License Number	
116VZD	

BURNS, SARAH
1831 W FAIRMOUNT AVE
MILWAUKEE, WI 53209-5720

Year	Make	Model	Work Phone	Vehicle Identification Number
2011	BUICK	REGAL	414-372-1293	W04GN5EC8B1066268
Year	Make	Model	Home Phone	Delivery Date
2011	BUICK	REGAL		1/26/11

DESCRIPTION OF SERVICE AND PARTS		AMOUNT
Cell: 414-736-9807 Email: PRECIOUSJEWEL111@YAHOO.COM		
#1 - 31GCZ4WALI: FOUR WHEEL ALIGNMENT		
FOUR WHEEL ALIGNMENT		
Caused by		
adjust as best as possible, rear toe adjusters		
are seized.		
in spec as best as possible		
Tech: Keith Z. (542)		89.95
Sub Total: 89.95		
#2 - 39GCZ: MISC SERVICE		
C/S: CUSTOMER HIT POTHOLE. DAMAGED TIRE, AND POSSI		
BLY WHEEL. HAVING VEHICLE TOWED-IN		
Tech: Keith Z. (542)		
Sub Total: .00		
#3 - 42PNZ09: INSTALL 2 TIRES		
INSTALL 2 NEW TIRES AND COMPUTER BALANCE.		
C/S: MOUNT AND BALANCE 2 NEW TIRES ON REAR RIMS, P		
UT ON THE FRONT AND MOVE FRONTS TO THE REAR		
Tech: Keith Z. (542)		54.00
Installed 19389788 :N-M2355018 (05880-BOPCKT)	2@235.44	470.88
mount and balance 2 tires on rear rims, put them		
on the front. move front to the rear		

"Motor vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 6911, Madison, Wisconsin 53408-6911."

ADDITIONAL WORK AUTHORIZED BY:

NAME _____
DATE _____ TIME _____
NO. CALLED _____
NEW TOTAL ESTIMATE _____

WARRANTY ON PARTS AND LABOR 12 MONTHS OR 12,000 MILES

X

LABOR	
PARTS	
DEDUCTIBLE	
SUBLET	
SHOP SUPPLIES	
HAZARDOUS MATERIALS	
SALES TAX OR TAX I.D.	
SPECIAL ORDER DEPOSIT	
DISCOUNTS	
TOTAL DUE	









