

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUEST

Uninsured Motorist Claim Under Sec. 62.67 Stats.

CASE NAME: Andrew Marx v. City of Milwaukee

DATE OF LOSS: July 20, 2017

C.I. FILE NO: 1032-2017-2118

CC FILE NO: 0095-1701406

AMOUNT REQUESTED: \$12,090.00

PAYABLE TO: Andrew Marx and MacGillis Wiemer, LLC – Trust Account

REASON FOR REQUEST:


Andrew Marx, a City of Milwaukee police officer, was in the scope of his employment and on foot patrol in the Sherman Park neighborhood at the approximate address of 5165 N. Sherman Boulevard. The uninsured motorist, who was travelling southbound on North Sherman Boulevard, lost control of his vehicle and went onto the sidewalk striking the claimant, causing significant injuries. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to Wis. Stat. § 62.67 and the City of Milwaukee's Uninsured Motorist Self-Insurance Plan.

Officer Marx sustained a fractured fibula, a concussion, and injuries to his head, neck, and back. The treating physician indicated there is permanent scarring on the head/scalp. The claimed medical expenses and lost wages total \$72,204.31.

After reviewing the personal automobile insurance policy issued to Officer Marx by Erie Insurance Exchange, it was agreed that the uninsured motorist coverage would be provided on a pro rata basis. The amount requested represents 9.3% of the total settlement (\$130,000.00), which is equal to the City of Milwaukee's pro rata share.

DATED: August 27, 2020

BY:



Nick G. Kotsonis
Crivello Carlson, S.C.