

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
Deputy City Attorney

**THOMAS E. HAYES**  
**PATRICK B. McDONNELL**  
**CHARLES R. THEIS**  
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
200 EAST WELLS STREET, SUITE 800  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD 286-2025  
FAX (414) 286-8550

March 14, 2001

**BEVERLY A. TEMPLE**  
**THOMAS O. GARTNER**  
**LINDA ULISS BURKE**  
**BRUCE D. SCHRIMPFF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**HAZEL MOSLEY**  
**HARRY A. STEIN**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**DAVID R. HALBROOKS**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**CHRISTOPHER J. CHERELLA**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**

Assistant City Attorneys

American Family Insurance  
Attn: Kimberly Cooper, Casualty Claim Rep.  
P.O. Box 2927  
Milwaukee, WI 53201-2927

RE: C.I. File No.: 00-S-458  
Your Insureds: James & Pennie Wix  
Your Claim No.: 00-601-266138-325

Dear Ms. Cooper:

This office is in receipt of your subrogation claim in the amount of \$781.43, relating to your subrogation interests and the interests of your insured's arising from damages sustained to their property by a City tree on May 24, 2000 at 3100 South 37<sup>th</sup> Street.

The Forest Division does not have any records regarding this alleged incident. Their records indicate the City experienced a windstorm with winds in excess of 50 mph on that date. As such, this alleged loss occurred solely as a result of high winds and was not in any way related to negligence by the City of Milwaukee. Accordingly, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

Handwritten signature of Grant F. Langley in black ink.

**GRANT F. LANGLEY**  
City Attorney

Handwritten signature of Robert Overholt in black ink.

**Robert Overholt**  
Investigator Adjuster

RMO:beg