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March 2, 2007

Sentry Insurance Company
Attn: Dorothy Cychosz
P.O. Box 8026
Stevens Point, WI 54481

RE: C.I. File No: 06-S-237
Your Claim No: 74a099406
Your Insured: Agnes & George Williams

Dear Ms. Cychosz:

We have received your claim in the amount of \$2,861.74, relating to your subrogation interest and the interests of your insured arising from a July 25, 2006 incident in which your insured's vehicle allegedly was damaged as a result of unmarked wet paint dividing the right and left lanes on eastbound Calumet and 91st Street.

Our investigation reveals that the Infrastructure Services Division records indicate that a Department of Public Works crew did paint a left turn lane on West Calumet Road east and west of 91st Street on July 13, 2006. They did not have any crews painting road markings in the vicinity of North 91st Street and West Calumet Road on July 25, 2006. On July 13, 2006 the painting operation was performed using a large painting truck which has painting equipment, hazard warning lights and sign. The sign is on the rear of this truck and warns other drivers that this slow moving vehicle "Makes Frequent Stops". This truck is followed by a smaller pickup truck. With hazard warning lights and a sign warning vehicles of the painting operation and to "Stay Back 300 Feet". The paint is applied to the street as the larger truck moves slowly along the road and depending on conditions, can dry in minutes. The City had taken reasonable precautions to ensure the safety of this operation and to warn of the potential hazards. There is no evidence that the City was negligent. As such, the City would not be liable. Therefore, we are denying your claim.

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

Very truly yours,


GRANT F. LANGLEY
City Attorney

Steven M. Carini
STEVEN M. CARINI
Investigator Adjuster

SMC:beg
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