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MBWPLUMBING

PAGE 02

Form CA-43

CITY OF MILWAUKEE

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June 25, 2004

MBW Plumbing Co., Inc.
Attn: Mary Jo Werner, Office Manager
2090 South 55th Street
West Allis, WI 53219

RE: MBW Plumbing Co., Inc.
C.I. File No. 04-V-89

Dear Ms. Werner:

This office is in receipt of your claim in the amount of \$1,394.24, relating to damage sustained to your company's truck on May 18, 2004 when it was involved in an incident with a City truck at 6600 North Industrial Road.

Our investigation reveals the Fleet Accident Report completed as a result of this incident noted the City roll-off box vehicle was in the process of backing and your vehicle attempted to pass behind the moving truck. The report also noted the City truck's back-up alarm was sounding during this maneuver. The primary liability for this accident rests with your driver who attempted to pass behind the moving City vehicle and, as such, the City cannot accept liability. Accordingly, we are denying your company's 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,

GRANT F. LANGLEY
City Attorney

ROBERT OVERHOLT
Investigator Adjuster

RMO:beg
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R E C E I V E D
JUN 25 2004