

CITY OF MILWAUKEE
RECEIVED

2008 JUN 30 PM 3: 26

OFFICE OF
CITY ATTORNEY

June 27, 2008

Milwaukee City Clerk
200 East Wells Street
Room 205
Milwaukee, WI 53202

Re: Appeal of Claim
Bonnie J. Vaughn
C.I. File No. 08-V-4

CITY OF MILWAUKEE
08 JUN 30 AM 10: 13
NALD D. LEONHARD
CITY CLERK

To Whom It May Concern:

I am in receipt of the letter from the city dated June 10, 2008 whereby my claim for damages to my windshield while my vehicle was parked in my driveway at 3799 South Centennial Circle was denied. I would like to appeal that decision.

I find the reasons for denial to be flimsy, at best. One reason given was that the "Fleet Division reports listed no timely report or complaint filed". I filed the claim as soon as I possibly could. The incident happened just one week prior to our Holiday shutdown at my place of employment (Harley-Davidson) and I was extremely busy trying to meet deadlines at work in anticipation of the shutdown. Then, the Holidays quickly followed. I do find it amusing that the timeliness of filing the complaint is called in to question when the City took 6 months to **respond** to claim. To me, that is the very definition of failing to be timely. My claim was filed within weeks of the incident.

Another reason given for the denial was that "the streets in my neighborhood are narrow with curves, with mailboxes near the curves, which doesn't allow a plow truck to gain the speed needed to push snow and ice from the curb line to where my vehicle was parked". This is completely false on all counts. If you did any type of in-depth consideration of my claim, you would find that my home is not directly positioned at one of those curves, so it's quite easy and commonplace for the City plow to build up steam as it plows through the neighborhood. I would actually argue that our streets are wide for City streets, particularly when there are no cars parked on the sides of the street, which was the case at the time the plow came through. Also, the setback of our house from the street is not very great and so, with that, the driveways are short and a plow would not have to be going very fast to easily throw snow squarely on to my windshield, based upon the position of my car within the driveway, which it did that day. The plow always comes through my neighborhood in such a fashion that they enter the loop at the end closest to Howard Avenue and round the loop so that the plow is positioned towards the

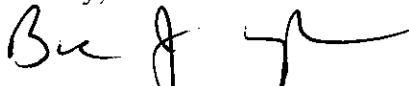
middle to right hand side of the street and has a greater throw trajectory. The mailboxes really don't come into play at all here.

The weakest reason of all that was cited in the denial document is that "the drivers deny causing the damage". Honestly, I wouldn't expect that there would be any admission of causing the damage by the drivers. The driver probably wasn't even aware of having caused the damage based upon the speed with which they go through the loop and the volume of ice and snow that fell that day. It was, after all, one of the biggest storms of the season. My car was covered in several inches of ice and snow when I returned home that evening. It's not as if my windshield completely shattered or the damage was dramatically apparent. Instead, it cracked across the whole length of the windshield and wouldn't have been visible to the drivers. I can provide my vehicle for inspection or provide photos of the damages, as needed.

I would like to reiterate the fact that my friend that I carpoled to work with for the day, along with my husband, together can corroborate that I did not drive my car that day. I would also like to confirm for you that I am not filing a false or frivolous claim – I just feel that the claims process is intended as an outlet for honest, hardworking taxpayers to not be penalized for property damage that was caused by no fault of their own. That is 100% the case here.

Thanks for your attention to this matter.

Sincerely,


Bonnie J. Vaughn

MILWAUKEE

CITY OF MILWAUKEE

1/2/08

2008 JAN -7 PM 3

2008 JAN -7 PM 3:16

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

RONALD J. LEON
CITY CLERK

OFFICE OF
CITY ATTORNEY

Dear City Clerk's Office:

I am a resident of the City of Milwaukee at 3799 S. Centennial Circle. As you may recall, on the day of Tuesday, December 11, 2007, there was a fairly substantial ice and snow storm that hit the City. Due to that, I was somewhat leery about driving to work so I carpoled with a friend and left my car at home in my driveway. I had backed it into my driveway on the previous evening, so the windshield was facing out towards the street when I left for work on Tuesday morning. My vehicle remained parked in the driveway all day and was not driven at all. DPW came through to plow several times that day, according to my husband who was off for the day.


When I got into my car on the morning of Wednesday, December 12, 2007 to drive to work, I discovered a crack on my windshield. There is a clear spot that appears to be a point of impact and the crack radiates across the windshield from both sides of the impact point. A piece of ice had to have been thrown onto my car by the City plow, thus creating the crack based on the fact that the vehicle was fine when I parked it on Monday night (Dec. 10th) and was cracked on Wednesday morning when I went to drive it. I feel that the City should cover the expense that I am incurring as a result of the need to replace the whole windshield.

If necessary, I'm sure that my friend would corroborate the fact that I carpoled with her on Dec. 11th and my husband would corroborate the fact that the vehicle did not leave the driveway all day on that date.

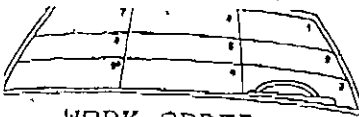
I can be reached at 414.343.7936 during normal business hours to answer any questions that you may have regarding this matter.

Thanks for your attention to this matter.

Sincerely,


Bonnie J. Vaughn

Enclosures: Estimates for Windshield Replacement Costs



Customer Service Center 1-800-835-22

WORK ORDER 05181-191569

AGS/Safelite
10708 W ORCHARD ST
WEST ALLIS, WI. 53214
** SERVICE QUESTIONS **
** CALL 414 475-1700 **

ORG DATE: 12-21-07 CTU WO # 191569
01-02-08 13:22:15 2-000-000-191569-W
Addr As: MR/MRS VAUGHN
CUSTOMER BONNIE VAUGHN
3799 S CENTENNIAL CIR
MILWAUKEE, WI 53221
PRIMARY : 414-282-1527
ALTRNATE: 414-343-7936
POLICY #:
CLM#:
ATH/VER:
PO#/REF:
LOSS LOC:
LOSS DATE/CAUSE:

CASH WISCONSIN
PO BOX 182278
COLUMBUS, OH 43272 6867

614 798-2470
092273-085080-092273

PAGE 1

Table with columns: YEAR MAKE, MODEL, BODY STYLE, MILEAGE LICENSE, ST STOCK #, VEHICLE ID #, LIST, SELLING, LABOR, KITTYPE KIT, MTRL EXTENSION. Includes rows for Subaru Forester windshield and wiper replacement.

Initial here if replaced parts should be saved for inspection or returned.

Summary table with columns: PART SUB TOTAL, LABOR SUB TOTAL, SUB TOTAL, SALES TAX, TOTAL. Values: 266.90, 60.00, 326.90, 18.31, 345.21.

INSTALLER INFORMATION
IN-STORE 01-19-08 09:00A-10:00A #05181
AVAIL TIME: 09:00AM NEEDED BY: 10:00AM *03* WAITING
ADDRESS:
CITY:
WINDSHIELD REPAIR POSSIBLE: YES NO
CUST INITIALS: ACCEPTED DECLINED
CMT: FAX QUOTE TO 414-343-8230 ASAP

CLAIMANT

Original Estimate \$345.21 I authorize AGS/Safelite to provide the above-referenced goods and services and to install glass and related parts that are manufactured by AGS/Safelite or another aftermarket manufacturer. Subject to completion of the work, I assign to AGS/Safelite any claim that I have under my insurance policy to recover, and authorize my insurance company to pay to AGS/Safelite, the balance due. If said amount is not paid in full by my insurance company, I agree to pay any unpaid balance. I have read and understand the Adhesive Cure Time Caution on the back of this form.

Customer's signature Date
If your check is unpaid for insufficient or uncollected funds, we may electronically debit your account for the principal check amount and a service fee as allowable by law. You have the right to select the repair facility of your choice.

Revised Estimate \$ Reason Add'l Cost \$
Authorized by Phone Date Time
AMOUNT TO COLLECT FROM CUSTOMER: 345.21 TENDER
Adhesive Brand Part No Lot No SAFE TO DRIVE VEHICLE AFTER

2015/10/08 10:00 AM



Google Site Stats - [send feedback](#)



Company Name: GlassOne
Quote: \$294.30
Location: Milwaukee, WI 53221
Vehicle: 2000 Subaru Forester 4 Door Utility
Glass: Windshield

[<< Wait, I need to change something!](#)

To schedule replacement service, you have 2 options:

1. **Choose one of the shops below** and click "Select This Shop." The shop will contact you to schedule service.
2. **Call any or all of the shops**, using the numbers provided.

\$294³⁰

*(may be lower with insurance —
this price is an estimate*)*



GlassOne
Average Rating: ★★★★★
Recommended by **91%** of customers
Toll-free: 800-558-4125

Services:



Features:

- We Work With All Insurance
- Free Mobile Service

- Express Same-day Service Available

Serving Milwaukee, WI



\$297⁹⁷

*(may be lower with insurance —
this price is an estimate*)*



89Glass

Average Rating: ★★★★★

Recommended by 85% of customers

Toll-free: 800-894-5277

Services:



Features:

- Free Mobile Service
- Lifetime Warranty
- \$25 off Your Insurance Deductible*

Serving Milwaukee, WI



\$303⁵¹

*(may be lower with insurance —
this price is an estimate*)*



WindshieldSmith

Average Rating: ★★★★★

Recommended by 88% of customers

Toll-free: 866-477-3367

Services:



Features:

- National Lifetime Warranty
- Same-day Service Available
- Mobile Service - We come to you

Serving Milwaukee, WI



* This quote is only an estimate until confirmed by the auto glass shop. Your auto glass may have options (tint, heat, rain sensor, etc.) that could affect the final price. Your price with insurance will vary depending on your deductible. Auto glass replacement offer has no cash value and cannot exceed deductible. Void where prohibited by law. Not valid with any other offers. Does not apply to special order parts.

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