

April 22, 2014

To Whom it may concern,

I am appealing decision letter dated April 10, 2014, Re: C.I. File No. 1029-2014-1110. I am requesting that money damages be issued to me in the amount of \$2,000 to completely repair the suspension system damaged to my car due to a huge pot hole that happened on April 1, 2014.

The damage occurred on my vehicle, before April 5. I am asking the City to re-consider their decision. See all attached documents.

Martha Malek
(414) 628-0248

CITY CLERK'S OFFICE

2014 APR 23 PM 1:20

CITY OF MILWAUKEE

CONCOURS MOTORS INC
1400 W SILVER SPRING DR
MILWAUKEE WI 53209
414-290-1400

642319

CONCOURS

Motors, Inc.

1400 West Silver Spring Drive
Milwaukee, Wisconsin 53209-4417
(414) 290-1400

www.concoursmotors.com

Volkswagen · BMW · Mazda · Mercedes Benz · Saab · Porsche

Merchant ID: 491045530
Term ID: 2012

INVOICE

PAGE 1

Sale

T: 414-628-0248

SERVICE ADVISOR: 205 TODD DEKKER

VISA

XXXXXXXXXXXX9335

Entry Method: Swiped

Apprvd: Online Batch#: 000005

04/03/14 16:31:40

Inv#: 00000038 Appr Code: 002660

Total: \$ 446.07

VEH/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAGGED	
0	WDBJF55D6TJ000724	617VYP	113893/113895	TVYP	
TR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
OV1999	17:00	02APR14		CP	03APR14

FERED BACK	OPTIONS: ENG:195_IN/3199_CC_Gas
03APR14	

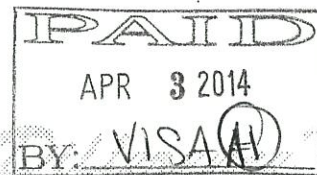
HOURS	LIST	NET	TOTAL
CKING NOISE FROM RF SUSPENSION - TIRE FEELS LOOSE		201.00	201.00
IGHT FRONT OUTER TIE ROD END			
15 TIE ROD	150.00	150.00	150.00
51 HEXAGON NUT	5.18	5.18	5.18
/EVALUATION/CHASSIS ALIGNMENT -			
POT HOLE SPECIAL WITH INSPECTION		99.95	99.95
115 CMC			
PARTS: 155.18 LABOR: 300.95 OTHER: 0.00			TOTAL LINE A: 456.13

Customer Copy

THANK YOU
FOR VISITING

113895 INSPECTED VEHICLE. FOUND RF OUTER TIE ROD TO BE LOOSE. RF SWAY BAR LINK IS SAWED OFF. LEFT FRONT SWAY BAR BRACKET IS WELDED TO FLOOR OF VEHICLE DUE TO BROKEN-OFF BOLT. LF SPRING IS BROKEN AND LF SPRING POCKET IS ROTTED AND NOT SAFE. REPLACED RF OUTER TIE ROD END. PERFORMED ALIGNMENT. VEHICLE DRIVES STRAIGHT WITH STEERING WHEEL CENTERED. NOISE FROM RF IS STILL PRESENT DUE TO DISABLED STABILIZER BAR. CLIENT HAS BEEN INFORMED AND SHOWN FAULTY FRONT STABILIZER BAR, LF SPRING AND SPRING POCKET ISSUE.

EST: 134.00 02APR14 14:04 SA: 205



"Where Service Makes The Difference Since 1955"

<p>Thank you for allowing us to service your vehicle!</p> <p>For Appointments, please call: (414) 290-1400</p> <p>Service Hours: Monday - Friday 7:00am - 5:30pm</p>	STATEMENT OF DISCLAIMER	DESCRIPTION	TOTALS
	The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.	LABOR AMOUNT	300.95
	CUSTOMER SIGNATURE	PARTS AMOUNT	155.18
		GAS, OIL, LUBE	0.00
		SUBLET AMOUNT	0.00
		ENVIRONMENTAL/SUPPLIES	0.00
		TOTAL CHARGES	456.13
		LESS INS./DISC./COUPON	35.62
		SALES TAX	25.56
		PLEASE PAY THIS AMOUNT	446.07

Note: There will be a \$25.00 fee for all returned checks.

Motor Vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

CUSTOMER COPY

Repair Order Detail - Customer Copy

RO Number: 642319

RO Status: CLOSED

Customer: MALIK, MARIE

Phone(s): Contact: (414)628-0248

Vehicle: WDBJF55D6TJ000724

Main: (414)461-4273

1996 E320W

WHITE

MARTHA_MALIK@BLM.GOV

Cell:

617VYP

Mileage: 113,893

Service advisor: 205

Tag number: TVYP

Payment type: CP, CASH

Promised time: 05:00 PM

Promised date: 04/02/2014

Waiter: No

Estimate: 134.00

A CUSTOMER STATES: KNOCKING NOISE FROM RF SUSPENSION - TIRE FEELS LOOSE

460000 CMR REPLACE RIGHT FRONT OUTER TIE ROD END 201.00

Tech(s): 115

210-338-06-15

202-990-08-51

1 TIE ROD

1 HEXAGON NUT

150.00

5.18

G160Z

CMC

SUSPENSION/EVALUATION

99.95

/CHASSIS

ALIGNMENT - POT HOLE

SPECIAL WITH

INSPECTION

Tech(s): 115

Pts: 155.18 Lbr: 300.95 Other: 0.00 Total Line A: 456.13

Story: 113895 INSPECTED VEHICLE. FOUND RF OUTER TIE ROD TO BE LOOSE. RF SWAY BAR LINK IS SAWED OFF. LEFT FRONT SWAY BAR BRACKET IS WELDED TO FLOOR OF VEHICLE DUE TO BROKEN-OFF BOLT. LF SPRING IS BROKEN AND LF SPRING POCKET IS ROTTED AND NOT SAFE. REPLACED RF OUTER TIE ROD END. PERFORMED ALIGNMENT. VEHICLE DRIVES STRAIGHT WITH STEERING WHEEL CENTERED. NOISE FROM RF IS STILL PRESENT DUE TO DISABLED STABILIZER BAR. CLIENT HAS BEEN INFORMED AND SHOWN FAULTY FRONT STABILIZER BAR, LF SPRING AND SPRING POCKET ISSUE.

Customer Pay

Labor

300.95

Parts

155.18

Lube

0.00

Sublet

0.00

Miscellaneous/Shop Charge

0.00

Deductible

0.00

Total Charges

456.13

Less Insurance/Adjustment

35.62

Sales Tax

25.56

Total

446.07

BLACK FOREST BENZ LLC
 2900 W VERA AVE
 GLENDALE WI 53209
 414-228-4899

OREST LLC
 AVENUE
 53209
 9

INVOICE

DATE	INVOICE #
4/2/2014	11193

Sale

ID: 00323088 Ref #: 0001
 04/02/14 11:27:31
 Batch #: 094

VEHICLE INFORMATION

1996 E320
 WDBJF55D6TJ000724
 MILEAGE: 113,885
 RADIO CODE:

VISA

*****9335 Exp: 10/14
 Appr Code: 019659 Inv#: 000001
 Total: \$ 34.85

Customer Copy
 THANK YOU!

DESCRIPTION	QTY	RATE	AMOUNT
air Line =====	1		0.00T
Client Concern Client Concern Knocking noise from front suspension.	1		0.00T
Inspection No... Inspection notes (04/01/2014):	1	0.00	0.00T
06 Repair Se... 1) The front sway bar bushings are worn out. 2) The right front sway bar end link is broken. 3) The right outer tie rod end joint has excessive play. 4) Both front wheel bearings have excessive play. 5) Both front upper control arms have play at the ball joints. 6) Both front lower ball joints are original and worn. 7) Both shift linkage bushings are missing. 8) The serpentine belt is cracked - replacement recommended. Labor (04/02/2014):	0.3	110.00	33.00T
Inspection No... 1) Attempted to replace the broken RH sway bar link. 2) The lower bolts securing the sway bar end links is seized on both sides. We tried removing them with an air impact wrench, but they could not be removed. 3) We cannot replace the front sway bar inner bushings because the LH bushing bracket has been welded to the vehicle's frame rail. 4) We cut off the loose end of the broken sway bar link and test drove the vehicle.	1	0.00	0.00T
Inspection notes: 1) The front suspension is still noisy due to multiple loose components as described in the inspection notes above. 2) The vehicle is not safe to drive in its current condition. 3) Estimated cost to repair the front suspension: \$2000+ - Lower control arms - Wheel bearings - Sway bar bushings and end links - Tie rods - Structural repair to vehicle frame in the area of the welded sway bar bracket. - 4-wheel alignment			
Sales Tax		5.60%	1.85

TOTAL \$34.85

You are entitled to receive replaced and removed parts, which will be available for your inspection.
 Motor vehicle practices are regulated by chapter ATCP 132, WIS. ADM. code administered by the bureau of consumer protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

Pymt Entered PDF Online

Claimant: Marie Malir
5143N, 41st St.
Milwaukee, WI 53209

April 4, 2014

On April 1, 2014, I ran over a huge pot hole at 60th & Fond du Lac located in the street in front of BP Gas Station on Fond du Lac Ave. As a result my entire suspension system on my car was seriously damaged. I got an estimate on April 2 and the total amount to repair my suspension is \$2,000. +. Therefore, I am requesting a money damage of \$2,000. So far, even to drive my car my outer right tire had was damaged. That part of the suspension was repaired by Concourse Motor on Silver Spring Drive in the amount of \$446.07. And on April 2, an estimate was completed at Black Forest in the amount of \$2,000+. Therefore, I am requesting money damage for \$2,000 to complete repairs to my suspension system on my car.

Sincerely

Marie Malir (414) 628-0248
See attached receipts and estimate.

GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
VINCENT D. MOSCHELLA
DANIELLE M. BERGNER
MIRIAM R. HORWITZ
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

April 10, 2014

Ms. Marie Malik
5143 North 41st Street
Milwaukee, WI 53209

Re: C.I. File No. 1029-2014-1110
Communication from MARIE MALIK

Dear Ms. Malik:

The City of Milwaukee is in receipt of the claim for damages you incurred as a result of a defect in a sidewalk or street on April 1, 2014 on Fond du Lac Avenue in front of the BP gas station.

Based on 2011 Wisconsin Act 132, Wisconsin municipalities are immune from liability for any damage that occurs on or after April 5, 2012 due to a defect in a sidewalk or street. Although the city is immune from liability for damages, the city takes any report of defective streets or sidewalks seriously. Therefore, your claim has been forwarded to the Department of Public Works so city staff may inspect the area in question and repair any defect as promptly as possible.

For the reasons stated above, we are denying your claim. If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, WI 53202, requesting a hearing.

Very truly yours,

A handwritten signature in black ink that reads "Grant F. Langley". The signature is written in a cursive style.

GRANT F. LANGLEY
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:cdr
1029-2014-1110:202208

THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
JENNY YUAN
T.C. MAKAYA
KAIL J. DECKER
Assistant City Attorneys

RECEIVED

APR 9 - 2014

Claimant: Mark Malik

5143N, 41st St.

Milwaukee, WI 53209

April 4, 2014
OFFICE OF
CITY ATTORNEY

On April 1, 2014, I ran over a huge pet whale at 60th & Fond du Lac located in the street in front of BP gas station on Fond du Lac Ave. As a result my entire suspension system on my car was seriously damaged. I got an estimate on April 5 and the total amount to repair my suspension is \$2,000. +. Therefore, I am requesting a money damage of \$2,000. So far, even to drive my car my outer right tire had was damaged. That part of the suspension was repaired by CON COURSE motor on Silver Spring Drive in the amount of \$446.07. And on April 2, an estimate was completed at Black Forest in the amount of \$2,000+. Therefore, I am requesting money damage for \$2,000 to complete repairs to my suspension system on my car.

Sincerely

Marie Malik (414) 628-0248

See attached receipts and estimate.

Repair Order Detail - Customer Copy

RO Number: 642319

RO Status: CLOSED

Customer: MALIK, MARIE

MARTHA_MALIK@BLM.GOV

Phone(s): Contact: (414)628-0248

Main: (414)461-4273

Cell:

Vehicle: WDBJF55D6TJ000724

1996 E320W

WHITE

617VYP

Mileage: 113,893

Payment type: CP, CASH

Waiter: No

Service advisor: 205

Promised time: 05:00 PM

Estimate: 134.00

Tag number: TVYP

Promised date: 04/02/2014

A CUSTOMER STATES: KNOCKING NOISE FROM RF SUSPENSION - TIRE FEELS LOOSE

460000 CMR REPLACE RIGHT FRONT OUTER TIE ROD END 201.00

Tech(s): 115

210-338-06-15

202-990-08-51

1 TIE ROD

150.00

1 HEXAGON NUT

5.18

G160Z

CMC

SUSPENSION/EVALUATION

99.95

/CHASSIS

ALIGNMENT - POT HOLE

SPECIAL WITH

INSPECTION

Tech(s): 115

Pts: 155.18 Lbr: 300.95 Other: 0.00 Total Line A: 456.13

Story: 113895 INSPECTED VEHICLE. FOUND RF OUTER TIE ROD TO BE LOOSE. RF SWAY BAR LINK IS SAWED OFF. LEFT FRONT SWAY BAR BRACKET IS WELDED TO FLOOR OF VEHICLE DUE TO BROKEN-OFF BOLT. LF SPRING IS BROKEN AND LF SPRING POCKET IS ROTTED AND NOT SAFE. REPLACED RF OUTER TIE ROD END. PERFORMED ALIGNMENT. VEHICLE DRIVES STRAIGHT WITH STEERING WHEEL CENTERED. NOISE FROM RF IS STILL PRESENT DUE TO DISABLED STABILIZER BAR. CLIENT HAS BEEN INFORMED AND SHOWN FAULTY FRONT STABILIZER BAR, LF SPRING AND SPRING POCKET ISSUE.

Customer Pay

Labor

300.95

Parts

155.18

Lube

0.00

Sublet

0.00

Miscellaneous/Shop Charge

0.00

Deductible

0.00

Total Charges

456.13

Less Insurance/Adjustment

35.62

Sales Tax

25.50

Total

446.07

CUSTOMER #: 232109

642319

CONCOURS

Motors, Inc.

1400 West Silver Spring Drive
Milwaukee, Wisconsin 53209-4417
(414) 290-1400

www.concoursmotors.com

Volkswagen · BMW · Mazda · Mercedes Benz · Saab · Porsche

MARIE MALIK
5143 N 41ST ST
MILWAUKEE, WI 53209
HOME: 414-461-4273 CONT: 414-628-0248
BUS: 414-297-1236 CELL:

INVOICE

PAGE 1

SERVICE ADVISOR: 205 TODD DEKKER

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/OUT	TAGGED	
WHITE	96	MB E320	WDBJF55D6TJ000724	617VYP	113893/113895	TVYP	
DEL DATE	PROD DATE	WARR EXP	PROMISED	PO NO	RATE	PAYMENT	INV. DATE
30NOV95	DD	29NOV1999	17:00	02APR14		CP	03APR14
R.O. OPENED	DATE OFFERED BACK	OPTIONS:					
14:04	02APR14	ENG:195_IN/3199_CC_Gas					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CUSTOMER STATES: KNOCKING NOISE FROM RF SUSPENSION - TIRE FEELS LOOSE

460000 REPLACE RIGHT FRONT OUTER TIE ROD END

115	CMR					201.00	201.00
1	210-338-06-15	TIE ROD			150.00	150.00	150.00
1	202-990-08-51	HEXAGON NUT			5.18	5.18	5.18

G160Z SUSPENSION/EVALUATION/CHASSIS ALIGNMENT - POT HOLE SPECIAL WITH INSPECTION

115	CMC					99.95	99.95
-----	-----	--	--	--	--	-------	-------

PARTS: 155.18 LABOR: 300.95 OTHER: 0.00 TOTAL LINE A: 456.13

113895 INSPECTED VEHICLE. FOUND RF OUTER TIE ROD TO BE LOOSE. RF SWAY BAR LINK IS SAWED OFF. LEFT FRONT SWAY BAR BRACKET IS WELDED TO FLOOR OF VEHICLE DUE TO BROKEN-OFF BOLT. LF SPRING IS BROKEN AND LF SPRING POCKET IS ROTTED AND NOT SAFE. REPLACED RF OUTER TIE ROD END. PERFORMED ALIGNMENT. VEHICLE DRIVES STRAIGHT WITH STEERING WHEEL CENTERED. NOISE FROM RF IS STILL PRESENT DUE TO DISABLED STABILIZER BAR. CLIENT HAS BEEN INFORMED AND SHOWN FAULTY FRONT STABILIZER BAR, LF SPRING AND SPRING POCKET ISSUE.

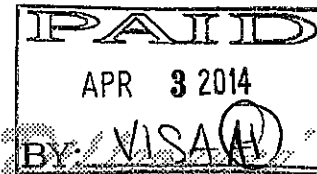
EST: 134.00 02APR14 14:04 SA: 205

VISA
XXXXXXXXXXXX9335
Entry Method: Swiped
Apprvd: Online Batch#: 000005
04/03/14 15:31:40
Invt#: 0000038 Appr Code: 002660
Total: \$ 446.07

Sale

Merchant ID: 931845538
Term ID: 2612

CONCOURS MOTORS INC
1400 W SILVER SPRING DR
MILWAUKEE WI 53209
414-290-1400



Customer Copy
THANK YOU
FOR VISITING

Thank you for allowing us to service your vehicle!

For Appointments, please call:
(414) 290-1400

Service Hours:

Monday - Friday 7:00am - 5:30pm

DISCLAIMER

... constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	300.95
PARTS AMOUNT	155.18
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
ENVIRONMENTAL/SUPPLIES	0.00
TOTAL CHARGES	456.13
LESS INS./DISC./COUPON	35.62
SALES TAX	25.56
PLEASE PAY THIS AMOUNT	446.07

Note: There will be a \$25.00 fee for all returned checks.

Motor Vehicle repair practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8811, Madison, Wisconsin 53708-8811



BLACK FOREST LLC

2900 W. VERA AVENUE
GLENDALE, WI 53209
414-228-4899

INVOICE

DATE	INVOICE #
4/2/2014	11193

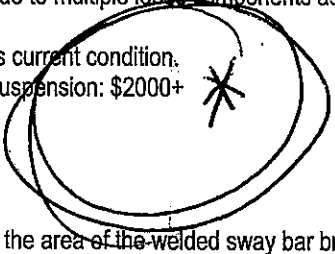
BILL TO

MARIE MALIK
5143 N. 41ST ST.
MILWAUKEE, WI 53209

VEHICLE INFORMATION

1996 E320
WDBJF55D6TJ000724
MILEAGE: 113,885
RADIO CODE:

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
Repair Line	===== Repair Line =====	1		0.00T
Client Concern	Client Concern: Knocking noise from front suspension.	1		0.00T
Inspection No...	Inspection notes (04/01/2014): 1) The front sway bar bushings are worn out. 2) The right front sway bar end link is broken. 3) The right outer tie rod end joint has excessive play. 4) Both front wheel bearings have excessive play. 5) Both front upper control arms have play at the ball joints. 6) Both front lower ball joints are original and worn. 7) Both shift linkage bushings are missing. 8) The serpentine belt is cracked - replacement recommended.	1	0.00	0.00T
06 Repair Se...	Labor (04/02/2014): 1) Attempted to replace the broken RH sway bar link. 2) The lower bolts securing the sway bar end links is seized on both sides. We tried removing them with an air impact wrench, but they could not be removed. 3) We cannot replace the front sway bar inner bushings because the LH bushing bracket has been welded to the vehicle's frame rail. 4) We cut off the loose end of the broken sway bar link and test drove the vehicle.	0.3	110.00	33.00T
Inspection No...	Inspection notes: 1) The front suspension is still noisy due to multiple loose components as described in the inspection notes above. 2) The vehicle is not safe to drive in its current condition. 3) Estimated cost to repair the front suspension: \$2000+ - Lower control arms - Wheel bearings - Sway bar bushings and end links - Tie rods - Structural repair to vehicle frame in the area of the welded sway bar bracket. - 4-wheel alignment	1	0.00	0.00T
	Sales Tax		5.60%	1.85



BLACK FOREST, BENZ LLC
2900 W. VERA AVE
GLENDALE WI 53209
414-228-4899

Sale

ID: 00323088 Ref #: 9001
04/02/14 11:27:31
Batch #: 094

VISA

*****9335
Appr Code: 019659 Inv#: 000001
Exp: 10/14

Total: \$ 34.85

Customer Copy
THANK YOU!

***You are entitled to receive rep;
***Motor vehicle practices are reg
bureau of consumer protection, P.C

TOTAL \$34.85

Pymt Entered PDF Online

RECEIVED