

CITY OF MILWAUKEE

Form CA-43

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January 6, 2004

Schiro & Zarzynski
Attn: Jeffrey P. Zarzynski
633 West Wisconsin Avenue, Suite 1515
Milwaukee, WI 53203-1918

RE: C.I. File No: 03-S-323
Your Client: April Bhayana

Dear Mr. Zarzynski:

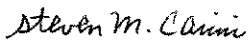
This office is in receipt of your client's claim in the amount of \$1,275.00 relating to the loss of personal items, papers and tools that were left in a vehicle recycled on April 24, 2003 by the City.

Our investigation reveals that the vehicle owned by Laureen D. Ingram was towed on April 8, 2003 for Safekeeping as it had been in an accident. The PT-27 form indicates that the vehicle had extensive damage at the time of the tow. The vehicle was scheduled for recycling on April 24, 2003. The owner of the vehicle came to the tow lot on April 14, 2003 to retrieve personal items, papers and tools from the vehicle. She did not claim her vehicle. Therefore, when your client, April J. Bhayana (Summers), came to the tow lot on April 25, 2003 with a notarized letter dated April 21, 2003 authorizing her to obtain items from the vehicle, it had already been destroyed on April 24, 2003. The City followed applicable regulation. As such, the City would not be liable. 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,


GRANT F. LANGLEY
City Attorney


STEVEN M. CARINI
Investigator Adjuster

SMC:beg
1044-2003-2499:74190

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