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2005 JUN -9 AM 11:21

OFFICE OF
CITY ATTORNEY

Gabriela Arndt
4463 N. Larkin Street
Shorewood, WI 3211
(414) 906-0705

City Clerk
200 East wells Street, Room 205
Milwaukee, WI 53202
Attn: Mr. Grant Langley, City Attorney

RE: Gabriela Arndt
C.I. File No. 05-V-77

Dear Mr. Langley,

The reason for writing you is to appeal your decision from your letter dated May 23, 2005.

The basis for my appeal are the following several facts:

1. On March 22, 2005 my car was struck by debris falling from a DPW truck .
2. The debris DID scratch my car.
3. I stopped my car and noticed the damage.
4. I DID follow the truck and made him pull over..
5. I did talk to the driver who admitted AT THE TIME that something might have fallen off the truck.
6. I DID call the DPW immediately after the accident to report what had happened.
7. Mr. Marty Bachhuber from the DPW did stop by at my residence and agreed there was damage and handed me a claim form.

Therefore I request a hearing . I will be available to attend a hearing after June 20, 2005

Thank you very much.

Sincerely,

Gabriela D. Arndt
Gabriel Arndt

2005 JUN -8 PM 1:14
MARTY BACHHUBER
CITY CLERK

Gabriela Arndt
4463 N. Larkin street
Shorewood, WI 53211
(414) 906-0705 home
(414) 791-4588 cell

City Clerks
Attn: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

RE: Accident on 3/22/2005 involving a DPW Milwaukee truck and a Golf GL 2004 owned by Gabriela Arndt.
TRUCK/City vehicle # involved : 26324

Relief sought : 2,670.39 \$ and rental car for 3 days @ 30 \$ a day . (Total of 90\$) in addition to the cost for repair.

TOTAL AMOUNT: 2760.39 \$

On 3/22/2005 I, (Gabriela Arndt) was driving home from work on Lincoln Memorial Drive at about 2. 30 pm when a DPW truck lost "debris" from the top of the truck. I stopped my car , pulled over on the side of the road and examined my vehicle. I found several scratches on my car, including the hood, roof, bumper, left and right door and left fender. I got back into my Golf and followed the DPW truck. As I passed the vehicle to signal the driver to stop I was hit again by "debris ". Finally I was successful in getting the drivers attention to stop his vehicle. The driver stepped from his truck and talked to me about what happened. I asked the driver if he recently had changed light bulbs, since I thought that one of the articles that struck my car were light bulbs. The driver acknowledged that, "yes, he had changed the bulbs", and forgot them on the trucks roof. This fact is very **negligent on part of the driver.** I was fortunate not to act irrationally or do evasive maneuvers that could have caused more damage to my car or other vehicles.

Mr. Marty Bachhuber of the DPW (City of Milwaukee) stopped by a few days later to asses the damage and handed me the yellow claim form.

CITY OF MILWAUKEE
2005 MAY -3 PM 2:47
ROMA L. LEONARDI
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2005 MAY -4 PM 4:04
OFFICE OF
CITY ATTORNEY

Attached are two (2) estimates as required.

Concours Motors was the most accurate and precise during the estimate and took sufficient time. They also seemed the most professional and they have the best reputation. In addition the **Concours body shop** is closer to my residence, 3.7 miles vs. 13.3 miles to Ernie von Schledorn.


Concours body shop representative said it would take them 3 days to fix and repair the Golf vs. 4-5 days at Ernie von Schledorn.

Since the car is only 11 months old it is supposed to look good after the repair.

That's why relief is sought in the amount of 2760.39 \$.

If you have any questions please feel free to contact me.

Sincerely,


Gabriela Arndt

893.80 Claims against governmental bodies or officers, agents or employes; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employe of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employe under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employe; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

To File A CLAIM with The *CITY OF MILWAUKEE*:

You will need the following information

DATE of Incident MARCH 22, 2005

"City" Vehicle Number 26324

BODYWORKS

BY
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-1600 • Fax (414) 228-1697
Tax ID: 39.0873125

Date: 4/27/2005 04:23 PM
Estimate ID: 4409
Estimate Version: 0
Preliminary
Profile ID: Mitchell

Damage Assessed By: RONDA RITTER

Deductible: UNKNOWN

Owner: GABRIELA ARNDT
Address: 4463 N LARKIN ST SHOREWOOD, WI 53211
Telephone: Work Phone: (414) 906-0705 Home Phone: (414) 241-9652

Mitchell Service: 910370

Description: 2004 Volkswagen Golf GL
Body Style: 4D HB
VIN: 9BWFL61J744017815
Mileage: 14,565
Color: BLACK

Drive Train: 2.0 Inj 4 Cyl 4A FWD
License: 928BYM WI

Options: ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER STEERING, POWER WINDOWS
POWER DOOR LOCKS, TILT STEERING WHEEL, CRUISE CONTROL, ELECTRIC DEFOGGER
AUTOMATIC TRANSMISSION, AM-FM STEREO/CDPLAYER(SINGLE)

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
1	000003	BDY	REMOVE/INSTALL	FRONT BUMPER FRT BUMPER ASSY			INC #
2	000025	BDY	REMOVE/INSTALL	FRONT LAMPS L FRT COMBINATION LAMP			1.3 #
3	000059	BDY	REMOVE/INSTALL	L REPEATER LAMP HOOD			0.2 #
4	000070	REF	REFINISH	HOOD OUTSIDE			C 2.6
5	000075	BDY	REPAIR	HOOD PANEL FRONT FENDER	Existing		2.5*
6	000228	REF	REFINISH	L FENDER OUTSIDE			C 2.0*
7	000234	BDY	REPAIR	L FENDER PANEL	Existing		0.5*#
8	003083	BDY	REMOVE/INSTALL	L FENDER LINER FRONT DOOR	Existing		0.4*
9	001040	REF	REFINISH	R FRT DOOR OUTSIDE			C 2.0*
10	001041	REF	REFINISH	L FRT DOOR OUTSIDE			C 2.0*
11	001052	BDY	REPAIR	R FRT DOOR SHELL	Existing		0.5*#
12	001053	BDY	REPAIR	L FRT DOOR SHELL	Existing		0.5*#
13	001056	REF	REFINISH	R FRT DOOR MOULDING			C 0.5
14	001057	REF	REFINISH	L FRT DOOR MOULDING			C 0.5
15	001060	BDY	REMOVE/INSTALL	R FRT REAR VIEW MIRROR			0.7 #
16	001061	BDY	REMOVE/INSTALL	L FRT REAR VIEW MIRROR			0.7 #
17	001064	BDY	REMOVE/REPLACE	R FRT DOOR ADHESIVE MOULDING	1J4 853 516 G GRU	64.75	0.5*
18	001065	BDY	REMOVE/REPLACE	L FRT DOOR ADHESIVE MOULDING	1J4 853 515 G GRU	64.75	0.5*

ESTIMATE RECALL NUMBER: 4/27/2005 16:23:31 4409

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Mitchell Data Version: APR_05_A
UltraMate Version: 5.0.205

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Bodyworks

BODYWORKS

BY
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-1600 • Fax (414) 228-1697
Tax ID: 39.0873125

Date: 4/27/2005 04:23 PM
Estimate ID: 4409
Estimate Version: 0
Preliminary
Profile ID: Mitchell

Line	Code	Description	Material	Quantity	Unit	Price	Total
19	001090	BDY REMOVE/INSTALL	R FRT DOOR TRIM PANEL				INC
20	001091	BDY REMOVE/INSTALL	L FRT DOOR TRIM PANEL				INC
21	001134	BDY REMOVE/INSTALL	R FRT OTR DOOR HANDLE				0.4 #
22	001135	BDY REMOVE/INSTALL	L FRT OTR DOOR HANDLE				0.4 #
23	001190	BDY REMOVE/INSTALL	R FRT OTR DOOR WINDOW GUIDE		Existing		0.4*
24	001191	BDY REMOVE/INSTALL	L FRT OTR DOOR WINDOW GUIDE		Existing		0.4*
ROOF							
25	001341	BDY REPAIR	ROOF PANEL		Existing		1.0*
26		REF REFINISH	ROOF PANEL				C 2.8
27	003261	BDY REMOVE/INSTALL	R ROOF MOULDING		Existing		0.4*
28	003262	BDY REMOVE/INSTALL	L ROOF MOULDING		Existing		0.4*
29	001362	BDY REMOVE/INSTALL	ROOF ANTENNA ASSEMBLY		Existing		1.1*
30	001366	MCH* REMOVE/INSTALL	ROOF HEADLINER				3.4
ADDITIONAL OPERATIONS							
31		REF ADD'L OPR	CLEAR COAT				2.7
32		ADD'L COST	PAINT/MATERIALS			483.60 *	
33		ADD'L COST	HAZARDOUS WASTE DISPOSAL			26.78 *	
34	900500	REF * ADD'L LABOR OP	CORROSION PROTECTIVE PRIMER		New		0.9*
35	900500	BDY * ADD'L LABOR OP	RUST COATING		New	4.00 *	0.5*
36	900500	REF * ADD'L LABOR OP	MASK FOR OVERSPRAY		New	5.50 *	0.2*
37	900500	REF * ADD'L LABOR OP	COLORSAND AND BUFF		Existing		1.6*
38	900500	REF * ADD'L LABOR OP	COLOR TINT		Existing		0.5*
39	900500	BDY * REMOVE/REPLACE	MISC. CLIPS/FASTENERS/HARDWARE		New	15.00 *	0.0*
MANUAL ENTRIES							
40	900500	REF * ADD'L LABOR OP	ROPE OFF WINDSHIELD FOR REFINISHING		Existing		0.3*

* - Judgement Item

- Labor Note Applies

C - Included in Clear Coat Calc

I. Labor Subtotals						II. Part Replacement Summary				
	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals				Amount	
Body	13.3	48.00	0.00	0.00	638.40 T	Taxable Parts			154.00	
Refinish	18.6	48.00	0.00	0.00	892.80 T	Sales Tax	@ 5.600%		8.62	
Mechanical	3.4	98.00	0.00	0.00	333.20 T	Total Replacement Parts Amount			162.62	
Taxable Labor					1,864.40					
Labor Tax					@ 5.600 %	104.41				
Labor Summary					35.3	1,968.81				

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BODYWORKS

BODYWORKS

BY
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III. Additional Costs	Amount	IV. Adjustments	Amount
Taxable Costs	510.38	Customer Responsibility	0.00
Sales Tax @ 5.600%	28.58		
Total Additional Costs	538.96		
		I. Total Labor:	1,968.81
		II. Total Replacement Parts:	162.62
		III. Total Additional Costs:	538.96
		Gross Total:	2,670.39
		IV. Total Adjustments:	0.00
		Net Total:	2,670.39

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.

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BODYWORKS

04/28/2005 at 04:37 PM
16382

Job Number:

ERNIE VON SCHLEDORN
N88W14167 MAIN STREET
MENOMONEE FALLS, WI 53052
(262)253-8991 Fax: (262)253-8962

PRELIMINARY ESTIMATE

Written By:
Adjuster:

Insured: FELIX ARNDT
Owner: FELIX ARNDT
Address: 4463 N. LARKIN STREET
MILWAUKEE, WI 53211
Day:
Evening:

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

2004 VW GOLF GL 4-2.0L-FI 4D H/B Int:

VIN: 9BWFL61J744017815 **Lic:**

Prod Date:

Odometer:

Air Conditioning	Rear Defogger	Tilt Wheel
Cruise Control	Telescopic Wheel	Intermittent Wipers
Keyless Entry	Rear Window Wiper	Theft Deterrent/Alarm
Body Side Moldings	Dual Mirrors	Clear Coat Paint
Power Steering	Power Brakes	Power Windows
Power Locks	Power Mirrors	Anti-Lock Brakes (4)
Driver Air Bag	Passenger Air Bag	Front Side Impact Air Bag
4 Wheel Disc Brakes	Cloth Seats	Bucket Seats

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
1		FRONT BUMPER					
2*	Rpr	Bumper cover w/o R32			1.0		2.4
3		Add for Clear Coat					1.0
4	R&I	R&I bumper cover			1.2		
5		GRILLE					
6	R&I	Grille			0.4		
7	Refn	Grille					0.6
8		Add for Clear Coat					0.1
9		HOOD					
10*	Rpr	Hood			1.3		2.6
11		Add for Clear Coat					1.0
12		FENDER					
13*	Rpr	LT Fender			0.5		2.2
14		Overlap Major Adj. Panel					-0.4
15		Add for Clear Coat					0.4
16		ROOF					
17*	Rpr	Header panel			1.0		

PRELIMINARY ESTIMATE

2004 VW GOLF GL 4-2.0L-FI 4D H/B Int:

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
18#	Rpr	LEFT DOOR			0.5	2.1
19#	Rpr	RIGHT DOOR			0.5	2.1
20		WINDSHIELD				
21	R&I	Windshield Volkswagon w/o rain sensor			2.8	
22#	Repl	CORRISION PROTECTION	1	10.00	0.3	4
23#	R&I	DOOR HANDLES AND MIRRORS			3.0	
Subtotals ==>				10.00	12.5	14.1
Parts						10.00
Body Labor						12.2 hrs @ \$ 46.00/hr 561.20
Paint Labor						14.1 hrs @ \$ 46.00/hr 648.60
Paint Supplies						14.1 hrs @ \$ 26.00/hr 366.60
SUBTOTAL						\$ 1586.40
Sales Tax						\$ 1586.40 @ 5.1000% 80.91
GRAND TOTAL						\$ 1667.31
ADJUSTMENTS:						
Deductible						0.00
CUSTOMER PAY						\$ 0.00
INSURANCE PAY						\$ 1667.31

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.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ERA9276 Database Date 04/2005, CCC Data Date 04/2005, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Prices are provided by National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries. Some parts that are described as AM, Qual Repl Parts or Comp Repl Parts may be OE Surplus parts or other OE parts offered at a special pricing discount. For further clarification please review the Suppliers List attached to this estimate, or consult the appraiser or estimator.