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January 9, 2007

To the Honorable
Judiciary and Legislation Committee
Common Council, City of Milwaukee
Room 205 – City Hall

Re: Resolution authorizing payment of verdict in *Scott A. Reichard, Gallagher Bassett Services, Inc. v. CHI Towing Service, Inc. and Western Heritage Insurance and City of Milwaukee*
Case No. 04-CV-010894.

Dear Committee Members:

Enclosed please find a proposed resolution. We ask that this be considered by the Committee on Judiciary and Legislation with the following recommendation.

The plaintiff, Scott A. Reichard, filed a lawsuit against the City of Milwaukee seeking damages as a result of a trip and fall occurring in the 8500 block of West Lancaster Avenue on August 27, 2002. The police department had been dispatched to that location on August 17, 2002, to investigate the arson of a van. The remaining shell of the burnt vehicle was towed from the scene, pursuant to the direction of the police department. Plaintiff sustained injury when he tripped on part of the vehicle which was not removed from the location. His medical bills were in excess of \$16,600.00.

This case was tried to a jury, which returned a verdict finding the City of Milwaukee 90% negligent, and plaintiff 10% negligent. They awarded \$70,000.00 in future pain and suffering, in addition to the medical bills. The statutory limitation is \$50,000.00, and plaintiff is also statutorily entitled to court costs in the amount of \$2,393.96.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of the proposed settlement amount, and have enclosed an

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appropriate resolution for your convenience. It is requested that this matter be introduced in a closed session.

Very truly yours,

GRANT F. LANGLEY
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GFL:PAF:dj
Enclosures

1032-2005-476/113780