

March 27, 2010

CITY OF MILWAUKEE

2010 MAR 29 AM 10:35

RONALD D. LEONHARDT
CITY CLERK

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

RE: Debra Lewandowski
C.I. File No. 10-S-31

Dear City Clerk:

I wish to appeal the decision per your letter dated March 10, 2010.

According to your investigation with the Sanitation Division, recycled materials were picked up on October 6, 2009 and October 27, 2009. However, this information is not correct. An additional pickup occurred the morning of October 13th. This can be confirmed with Tom Wynn, Sanitation Supervisor for the area. He came to my residence the morning of November 5th and stated that the recycling cart was inadvertently collected two weeks in a row. He stated that this was due to a computer mistake. The Sanitation Division was negligent in this matter as recycling is to be picked up every 3rd week.

I do not recall the exact date I called the call center. This was due to the fact that I was so upset and distraught on the loss of a family heirloom. I did not know who to call or even what to do.

Sincerely,



Debra A. Lewandowski
4050 So. 55th Street, Milwaukee, WI 53220
414-327-3144

OFFICE OF
CITY ATTORNEY
2010 MAR 30 PM 2:50
CITY OF MILWAUKEE
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MILWAUKEE
Office of the City Attorney



Milwaukee's Future: IT'S IN OUR HANDS

www.milwaukee.gov/2010census

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DANIELLE M. BERGNER
Assistant City Attorneys

March 10, 2010

Debra Lewandowski
4050 South 55th Street
Milwaukee, WI 53220

RE: Debra Lewandowski
C.I. File No.: 10-S-31

Dear Ms. Lewandowski:

We have received your claim in the amount of \$3,861.00, relating to a diamond necklace that was allegedly tossed out with newspapers that were placed into your recycling cart on October 13, 2009. You also allege that the recycle cart was picked up the next morning.

Our investigation reveals that the Sanitation Division reviewed their records relative to this incident. They also reviewed your allegation that the recycled materials were picked up two weeks in a row due to a computer error. The records reflected that the recycled materials were picked up on October 6, 2009 and again on October 27, 2009.

Their records further reflected that they first learned of this alleged incident on October 26, 2009 when a call was placed to the call center. Since it appears the Sanitation Division was not negligent in this matter, the City cannot accept liability and we are denying your claim.

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.288.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

Debra Lewandowski

March 10, 2010

Page 2

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



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms

1058-2010-386:155859

January 29, 2010

CITY OF MILWAUKEE
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2010 FEB -1 PM 2:39

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

CITY ATTORNEY

Claimant: Debra A. Lewandowski

Dear City Clerk,
Instructions per this request were provided by Alderman Joe Dudzik, per my phone conversation.

This letter states the circumstances of this claim:

Due to a computer error, an authorized recycling collection occurred on October 13th, 2009. In the newspaper section of container was recycled newspapers and a valuable necklace.

Early that morning, when I realized an empty container, was shocked, tried to compose myself, and later called Sanitation District to report loss. Spoke with Anthony Sherwin at 414-286-3500.

On November 5th, 2009, Tom Wynn, Sanitation Supervisor for my area, came to my house at 4050 So. 55th St., to explain that pickup was due to a computer error. Therefore, recycling cart was inadvertently collected two weeks in a row.

Additional information on claim:

Proof of amount of claim:

- A. Letter from Prescott Miller Jewelers stating total retail cost of \$3,861.00
- B. Letter from Fred Meyer Jewelers stating retail cost of chain \$470.00 and retail cost of diamond \$7,000.00 for total retail cost of \$7,470.00
- C. Copy of receipt from Ball Manufacturing Jewelers where 20" rice chain was purchased on 10-3-2005 amount paid \$125.66. This was a discounted price as store was going out of business. I do not have a receipt for the canary diamond as this was family heirloom and purchased many years ago.

Phone number claimant can be reached:

Home phone: 414-327-3144

Cell phone: 414-364-1438

Description of the incident:

Recycling bin collected early morning on October 5th, 2009. The evening of October 12th, I tossed papers in the recycling and in between the papers was necklace. The evening was very cold and dark, so retrieval would be the next morning when I could see items. The next morning I went outside, and I was shocked to see emptied cart on sidewalk. Pickup is to occur every 28-30 days. Called Alderman Joe Dudzik to discuss and his assistant handled my calls. Later learned from Tom Wynn, Sanitation Supervisor

that a computer mistake occurred and the recycling container was emptied in error and he was very sorry.

I feel that the City of Milwaukee and employees acted negligently in that the computer records were not accurate and therefore the sanitation employees were in error in collecting the recycling bins.

I have filed an incident report with the Milwaukee Police Department if the lost jewelry is recovered.

Sincerely,



Debra A. Lewandowski

4050 So. 55th Street, Milwaukee, WI 53220



November 20, 2009

To whom it may concern:

The following is the retail cost to replace a lost, misplaced or stolen diamond pendant and chain as described by:

Debbie Lewandowski
4050 S. 55th Street
Milwaukee, WI 53220
414-327-3144

1 – 0.75 ct. round brilliant fancy yellow diamond, VS-SI	\$3375.00
1 - 18KT yellow gold solitaire pendant w/double bail	\$150.00
Setting diamond in pendant	\$36.00
1 – 14KT yellow gold bead chain, 18 inches	\$300.00
	<hr/>
Retail Cost	\$3861.00

Kathleen Schnagl
Graduate Gemologist, G.I.A.

CITY OF MILWAUKEE
2010 FEB - 1 PM 1:47
RONALD D. LEONHART
CITY CLERK

Fred Meyer JEWELERS

"For All Those Special Times"

Dominic Schelfhout
Manager

414-421-8555
414-421-8627 Fax

Southridge Mall

5300 S. 76th Street, Spc 1620
Greendale, WI 53129

CITY OF MILWAUKEE
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2010 FEB -1 3:41 PM 2:40

OFFICE OF THE CITY ATTORNEY

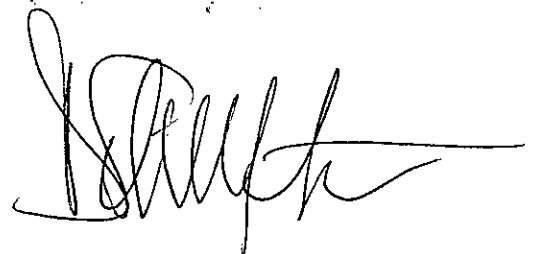
RONALD D. ELLIOTT
CITY CLERK

2010 FEB -1 3:41 PM

CITY OF MILWAUKEE

① one 14kt yellow gold 18" neck chain
style. Approx 4 grams. Retail Value \$470
Selling Price \$188

② One round brilliant fancy yellow
natural diamond. Approx. .75ct.
Retail Value \$7000-
Selling Price \$5000-





Manufacturing Jewelers Inc.

№ 35434

857 North Mayfair Road
Wauwatosa, WI 53226
Phone (414) 476-0910

Name		Date	
PAUL MATSUK		10-3-05	
Address			
12061 W. WOODROW PKWY GB			
Sold by	Cash	Charge	Layaway
GB		AMEX	
On Acct	Mdse. Paid		
		70.54	
Article		Stock No.	Amount
14KWT RING		B10158	119.00
CHAIN 20"			
Special Instructions			
Amount of Sale			
Tax		6.66	
Total		125.66	
Amount Paid		125.66	
Balance		-	
Received by			
<i>[Signature]</i>			

All layaway, custom work, orders, repairs or any other delayed payment agreements must be paid on a monthly basis or all deposited funds will be forfeited to Baird Manufacturing Jewelers, Inc. I agree to these terms.

All claims and returned goods MUST be accompanied by this bill. No cash refunds. Merchandise exchange only within 30 days after sale.