

August 16, 2007

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

2007 A 20 PM 12: 55
RONALD SHARDT
PRK

MILWAUKEE
CITY OF MILWAUKEE
2007 AUG 20 PM 3: 33
OFFICE OF
CITY ATTORNEY

Re: Mary Ayala
C.I. File No: 07-V-128

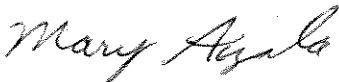
Dear City of Milwaukee:

I have received your letter dated August 6, 2007 denying liability to the damage to my house on April 19, 2007 by the City garbage truck. I am appealing the denial. In your letter you state alleged damages. I have several phone messages saved on my answering machine from Peter Jonath stated he was calling regarding the damage one of the City of Milwaukee garbage trucks did to my house. He is the one who sent me the form to fill out and told me to get an estimate and send it in.

There are several factors which led to the damage in which the City of Milwaukee is responsible. First, they did not measure the phone wire until after the second time the City Garbage truck pulled the wire from my house snapping the wire. It may have been at the right height at the time of the first incident. They did not even call in a repair to the phone company, I spoke with Peter and he stated he would, and after 2 days without phone service I had to call in the repair. Second, the City expanded the alley and in doing so they had to have the pole at the end of the alley, which has the phone lines and electrical lines on it, moved 10 feet back which also attributed to the wires being lower. I have lived here for several years and the phone wires have never been pulled down. Last, it is the negligence of the driver of the City of Milwaukee Garbage truck who did not realize he was caught in the wire causing it to be pulled from my house causing the damage. I in no way contributed to the damage to my house I was at work when this happened and not until a few days later when Peter called did I even know what happened to damage my house.

You have 21 days from the date of this letter to respond. If I do not hear from you agreeing to take responsibility for the damages, I will be contacting an attorney. I have the saved messages from Peter, the original claim form Peter sent me and pictures of the expanded alley, damage to my house and the pole that had to be moved. Furthermore, I got the appeal letter 10 days after the date on the letter. If you are going to give 21 days to appeal you should get the letter mailed in a timely fashion.

Sincerely,



Mary Ayala
(414) 483-8322

July 16, 2007

City Clerk
Attn: Claims
200 E Wells Street Room 205
Milwaukee, WI 53202-3567

CITY OF MILWAUKEE
2007 JUL 18 PM 1:30
RONALD J. LEDNARDI
CITY CLERK

RE: 343 East Deer Place
Milwaukee, WI 53207

Dear Office of the City Clerk,

Enclosed is an estimate to repair the damages to my siding on my house caused by City Vehicle 32459 on April 19th 2007. I had called several siding places and have only been able to obtain one estimate. I am assuming it might be because it is only a repair. I had spoke to Peter Jonath after the second time the city truck pulled my telephone wires from my house and explained I was having a hard time getting an estimate for the damage and he stated one estimate would be fine they are not disputing they caused the damage.

If you have any questions you can reach me at home (414) 483-8233 or work at (414) 443-4378.

Sincerely,

Mary Ayala

Mary Ayala

CITY OF MILWAUKEE
2007 JUL 18 PM 3:13
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2007 JUL 18 PM 3:13
OFFICE OF
CITY ATTORNEY



LifeTime II Inc.
2361 S. Lenox St.
Bayveiw, WI 53207
(715)330-0431



Date 06-14-07

Invoice No. 1411

Name Mary Ayala
 Address 343 E Deer Place
 City Milwaukee WI Zip 53207
 Phone (414) 483-8233

Work performed at: _____

 Bid No. 1411

Discription of work performed

Repair Siding on Southside of house
Remove Alum siding (Damage) PARTS
Replaced with new Alum siding
Siding will match existing siding
↳ down bal Ave upon Completion

All material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided. The above work was completed in a substantial workmanlike manner for the agreed sum of dollars. (\$ 1200)

This is a Partial Full invoice due and payable by: Completion of Job
 in accordance with our Agreement Proposal No. 1411 Dated 06 14 07
Month Day Year

OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City, a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of this instruction sheet. Generally, the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours.
3. As detailed a description of the incident as possible, including the date, time and place. Include the "City" vehicle #.

All information should be submitted to:

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

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

