

To Whom It May Concern:

I'm writing this letter to appeal the decision that was made regarding my claim #1029-2023-503.

Earlier this year (February 28, 2023), I struck a large pothole near North 21st -North 24th Street and W. Fond Du Lac Ave. My vehicle was damaged due to the incident. My vehicle was taken Lexus of Milwaukee to replace my tire and repair my alignment. I was instructed by them about the underlying damages that the pothole caused. I explained to them that I was going to get another quote from Lexus of New Orleans once I made it back home. I reached out to the City of Milwaukee on March 1, 2023, and was instructed to print an instruction form to file my claim.

On March 10, 2023, I went to the dealership for my vehicle, Lexus of New Orleans, to inspect the damages.

I followed the instructions for filing a claim against the City of Milwaukee.

After filing the claim, I never received a response. After one month passed, I followed up requesting an update regarding my claim. I was informed by Ms. Gloria Ware that my claim was passed over to the City Attorney. I then asked for a number for the City Attorney and was given a number to contact Ms. Michelle Thompson Gray, who was titled as an Investigator Adjuster.

I reached out to Ms. Thompson-Gray three times but received no response. I spoke to Ms. Shy, the representative who answered my phone call and she then transferred the call to Ms. Thompson-Gray's voicemail. After multiple times of Ms. Thompson-Gray not responding to my messages, I asked to speak to her supervisor.

Ms. Thompson-Gray then finally contacted me about my concerns at the end of April. She explained to me that my claim was still under review and she will contact me as soon as she receives an update.

I contacted Ms. Thompson-Gray May 18, 2023, and she requested that I send photos of the pothole. On that same day, May 18, 2023, I sent the photos of the pothole. After that, I didn't hear from Ms. Thompson-Gray again until the beginning of July. She reached out to me about my claim stating that it was finally moving along and that I should know something in a few weeks.

On August 16, 2023, I received a call from Ms. Michelle Thompson-Gray stating that the City of Milwaukee denied my claim due to no one reporting a pothole between the dates of December 28, 2022-February 28, 2023.

I reported the incident on March 1, 2023, and filed my claim on March 10, 2023, after receiving the damages report from Lexus of New Orleans on March 8, 2023.

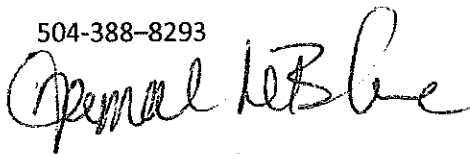
On March 30, 2023, The Department of Public Works reported they were notified of a hazard on this segment and repairs were completed on April 5, 2023.

Ms. Thompson-Gray stated to me that The Infrastructure Services Division did not have knowledge of a hazard in the roadway on this segment. How is that possible when I have documentation of me filing a claim March 10, 2023? If indeed that was the situation, that the pothole wasn't reported until March 30, 2023, why did it take her until the evening of August 16, 2023, to notify me about this?

I am asking the City of Milwaukee to please pay for the damages that I incurred to my vehicle due to pothole in the road.

Jamal LeBlanc

504-388-8293

A handwritten signature in black ink that reads "Jamal LeBlanc". The signature is written in a cursive style with a large initial "J".

8-31-23

**TEARMAN SPENCER**  
City Attorney

**ODALO J. OHIKU**  
**ROBIN A. PEDERSON**  
**S.TODD FARRIS**  
**JENNIFER L. WILLIAMS**  
Deputy City Attorneys

**CITY OF**  
**MILWAUKEE**  
**Office of the City Attorney**

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

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**CLINT B. MUCHE**  
**JOANNA FRACZEK**  
Assistant City Attorneys

August 17, 2023

Mr. Jamal LeBlanc  
3725 Canal Bank Drive  
Slidell, LA 70461

RE: Communications from JAMAL LEBLANC  
C.I. File No. 1029-2023-503

Dear Mr. LeBlanc:

We are in receipt of your claim regarding damages sustained to your vehicle on February 28, 2023, when you struck a pothole at or near, North 21st - 24th Street and W. Fond Du Lac Avenue.

Based on 2011 Wisconsin Act 132, Wisconsin municipalities are immune from liability for any damage that occurs on or after April 5, 2012 due to a defect in a sidewalk or street.

Our investigation revealed that the Infrastructure Services Division searched call center records between the 2100-2400 blocks of West Fond Du Lac Avenue, from December 28, 2022 through February 28, 2023, and there were no calls received regarding this segment. On March 30, 2023, the Department of Public Works reported they were notified of a hazard on this segment and repairs were completed on April 5, 2023.

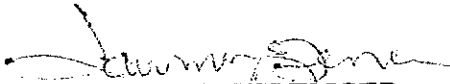
The Infrastructure Services Division did not have knowledge of a hazard in the roadway on this segment. Accordingly, we cannot accept liability for your damages, and we are denying your claim.




Mr. Jamal LeBlanc  
August 17, 2023  
Page Two

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

  
TEARMAN SPENCER  
City Attorney

  
MICHELLE THOMPSON-GRAY  
Investigator Adjuster

MG/cdr

1029-2023-503/286717





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 at the bottom 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 as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

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.

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**893.80** Claims against governmental bodies or officers, agents or employees; 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 employee 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 employee 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 employee; 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.

From: Ware, Gloria [gware@milwaukee.gov](mailto:gware@milwaukee.gov)  
Subject: RE: Estimates  
Date: Mar 10, 2023 at 2:39:49 PM  
To: Jamal LeBlanc [jamalleblanc@supremegpservices.com](mailto:jamalleblanc@supremegpservices.com)

Jamal,

I have received everything and will refer to City Attorney. They will probably pick up on Monday and will take a while. For future checking on your claim, the City Attorney's number is 414 286-2601.

Thanks,  
Gloria

**From:** Jamal LeBlanc <[JamalLeBlanc@supremegpservices.com](mailto:JamalLeBlanc@supremegpservices.com)>  
**Sent:** Friday, March 10, 2023 1:53 PM  
**To:** Ware, Gloria <[gware@milwaukee.gov](mailto:gware@milwaukee.gov)>  
**Subject:** Re: Estimates

Hello Ms. Gloria,

Attached below are my estimates.

[ On Fri, Mar 10, 2023 at 12:39 PM Ware, Gloria <[gware@milwaukee.gov](mailto:gware@milwaukee.gov)> wrote:

Your claim was received, but without estimates. Please re-fax the estimates.

Thank you!

Gloria J. Ware  
Communications Assistant  
City Hall  
Common Council – City Clerk's Office  
200 East Wells Street – Room 205  
Milwaukee, WI 53202

Telephone 414 286-2221  
Voice Mail 414 286-6449  
Fax 414 286-3456

The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City of Milwaukee e-mail should presume that e-mail is subject to release upon request, and is subject to state records retention requirements. See City of Milwaukee full e-mail disclaimer at [www.milwaukee.gov/](http://www.milwaukee.gov/)

email disclaimer



March 9, 2023

Hello,

My name is Jamal LeBlanc. I am filing a claim against the city of Milwaukee for the damages that were caused to my Vehicle on the morning of February 28, 2023, while I was visiting Milwaukee to help take care of my aunt who's fighting cancer. My rim, tire, alignment and oil pan were damaged after hitting an awful pothole between N 21st and N 24th Fond Du Lac going towards the Old Milwaukee Mall. I was sort of confused about the exact street names, but I think the area where the pothole is located is 21st Meinecke & Fond Du Lac. I couldn't avoid the pothole or stop due to other vehicles that were behind me. Someone helped me add the spare tire to the vehicle, and I immediately drove to the Lexus of Milwaukee dealership. After Lexus inspected my vehicle, they informed me that the pothole I hit damaged the rim, tire, alignment and oil pan. I did not have the funds to pay for a rim or oil pan. I paid for the alignment and only had to pay partially for the new tire due to it still being under warranty. I am asking the city to please pay for the damages to my vehicle that were caused by the city's pothole. I have attached all estimates with this letter.

Jamal LeBlanc  
3725 Canal Bank Dr  
Slidell, LA 70461  
504-388-8293  
[Jamalleblanc@supremegpservices.com](mailto:Jamalleblanc@supremegpservices.com)



# Lexus of New Orleans

## Repair Estimate

03/08/2023

3:25 PM

|  |                                      |                          |
|--|--------------------------------------|--------------------------|
| Estimate#: <b>RO471091</b>             | Estimate Date: <b>03/07/2023</b>     | Odometer: <b>160,180</b> |
| Vehicle: <b>RX 350 16/22</b>           | VIN: <b>2T2ZZMCA6GC019480</b>        | License#:                |
| Customer#: <b>145338 JAMAL LEBLANC</b> | Advisor#: <b>200431 DARYL JULIEN</b> |                          |
| Address: <b>3725 CANAL BANK DR</b>     |                                      |                          |
| <b>SLIDELL, LA 70461</b>               | (H) <b>(504) 388-8293</b>            |                          |
|  | (B)                                  | (Ext)                    |

## CUSTOMER QUOTE

Operation: 112111 Lower Oil Pan, r&r (ADD Oil & Filter) NAP VIN 2WD 16/22 NAP Part

| Qty | Part Number   | Part Description     | Part Price | Ext Price |
|-----|---------------|----------------------|------------|-----------|
| 1   | LE12102-0P041 | PAN SUB-ASSY, OIL, N | 218.99     | 218.99    |
| 1   | LE00295-00103 | FIPG OIL PAN         | 20.98      | 20.98     |

| Misc Code | Misc Description               | Ext Price |
|-----------|--------------------------------|-----------|
| 1         | SHOP SUPPLIES/ENVIROMENTAL FEE | 49.00     |

|                     |                 |
|---------------------|-----------------|
| LABOR \$:           | 2,279.65        |
| PARTS \$:           | 239.97          |
| GOG \$:             | 0.00            |
| MISC \$:            | 49.00           |
| TAX \$:             | 236.31          |
| <b>SUBTOTAL \$:</b> | <b>2,804.93</b> |

CUSTOMER #: 7046

130567

LEXUS OF MILWAUKEE

1433 W. Silver Spring Drive
Milwaukee, WI 53209
(414) 228-9000

\*INVOICE\*

DUPLICATE 1
PAGE 1

Jamal Leblanc
3725 Canal Bank Dr
Slidell, LA 70461

HOME: CONT:504-388-8293
BUS: CELL:504-388-8293

SERVICE ADVISOR: 768 MAUREENA SINDRIC

Table with columns: COLOR, YEAR, MAKE/MODEL, VIN, LICENSE, MILEAGE IN/OUT, TAG. Includes details for 2016 Lexus RX 350 with VIN 2T2ZZMCA6GC019480 and license 158581/158581 T376.

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Includes work description 'A .4 REPLACE ONE TIRE INCLUDES MOUNTING AND BALANCING' with a total of 240.00.

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Includes work description 'B .4 WHEEL ALIGNMENT' with a total of 139.95.

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Includes work description 'C\*\* MOUNT AND BALANCE TIRE' with a total of 33.00.

ESTIMATE: 187.24 28FEB23 11:04 SA: 768
CONTACT:
\*\*\*\*\*

\*\*\*\*\*THE FOLLOWING WORK WAS RECOMMENDED BUT NOT PERFORMED\*\*\*\*\*
DESCRIPTION: TIRE3 Mount and Balance 3 Tires. BRIDGESTONE ECOPIA HL422

Table with columns: WARRANTY DISCLAIMER, SHOP SUPPLY COSTS, DESCRIPTION, TOTALS. Includes a disclaimer and a summary of shop supply costs.

Repairs Performed By (List mechanics/team leader and names of any subcontractors):
Names:

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.

Arbitration Agreement: Customer and the dealer agree that all claims, demands, disputes, or controversies of every kind or nature that may arise between the customer and dealer related to the servicing of the vehicle shall be settled by binding arbitration in accordance with the "Supplementary Procedures For Consumer - Related Disputes" rules of the American Arbitration Association...

CUSTOMER #: 7046

130567

LEXUS OF MILWAUKEE

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Milwaukee, WI 53209  
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\*INVOICE\*

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DUPLICATE 1  
PAGE 2

HOME: CONT:504-388-8293  
BUS: CELL:504-388-8293

SERVICE ADVISOR: 768 MAUREENA SINDRIC

| COLOR      | YEAR       | MAKE/MODEL   | VIN               | LICENSE | MILEAGE IN / OUT | TAG     |           |
|------------|------------|--------------|-------------------|---------|------------------|---------|-----------|
|            | 16         | LEXUS RX 350 | 2T2ZZMCA6GC019480 |         | 158581/158581    | T376    |           |
| DEL. DATE  | PROD. DATE | WARR. EXP.   | PROMISED          | PO NO.  | RATE             | PAYMENT | INV. DATE |
| 01JAN16 DD |            |              | WAIT 28FEB23      |         | 0.00             | EXT     | 28FEB23   |

R.O. OPENED: READY: OPTIONS: DLR:64831

11:04 28FEB23 15:17 28FEB23

| LINE | OPCODE | TECH | TYPE | HOURS | LIST | NET | TOTAL |
|------|--------|------|------|-------|------|-----|-------|
|------|--------|------|------|-------|------|-----|-------|

REASON DENIED: DEC  
 PERSON CONTACTED: Jamal Leblanc  
 COMMENTS: None  
 RECOMMENDED BY: 768 SINDRIC DENIAL ADDED BY: 768 SINDRIC  
 LINE ASSOCIATED: ESTIMATE: 918.00

DESCRIPTION: / TPMS. REPLACE TPMS SENSOR IN RIGHT FRONT. NOT SHOWING DATA AND  
 REASON DENIED: OTH Will confer with others  
 PERSON CONTACTED: Jamal Leblanc  
 COMMENTS: None  
 RECOMMENDED BY: 768 SINDRIC DENIAL ADDED BY: 768 SINDRIC  
 LINE ASSOCIATED: ESTIMATE: 120.00

RIGHT FRONT TIRE SENSOR WILL  
 NOT PROGRAM /DUE T O THE HIT  
 OF THIS WHEEL CLAIM FOR TIRE  
 ROAD HAZZARD #3573313 FOR  
 240.00

WARRANTY DISCLAIMER: ALL PARTS AND ACCESSORIES ARE SOLD AND ALL REPAIRS ARE PROVIDED BY THE DEALERSHIP AS-IS. THE DEALERSHIP HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS AND IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF PARTS OR PRODUCTS OR THE REPAIR. THE ONLY WARRANTIES ON PARTS AND ACCESSORIES OR REPAIRS ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER OR THE ORIGINAL PARTS DISTRIBUTOR AND ONLY SUCH MANUFACTURER OR DISTRIBUTOR SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES. CUSTOMER SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.

By signing below, you acknowledge that you were notified of and authorized the Dealership to perform the services/repairs itemized in this invoice and that you received (or had the opportunity to inspect) any replaced parts as requested by you. The vehicle is being returned to you in exchange for your payment of the Amount Due.

\*SHOP SUPPLY COSTS:  
 We have added a charge equal to 10% of the total cost of labor and parts, not to exceed \$75.00, to the Repair Order for shop supplies used in connection with this repair.

ALL PARTS ARE NEW UNLESS OTHERWISE INDICATED.

| DESCRIPTION            | TOTALS |
|------------------------|--------|
| LABOR AMOUNT           | 169.95 |
| PARTS AMOUNT           | 240.00 |
| GAS, OIL, LUBE         | 0.00   |
| SUBLET AMOUNT          | 0.00   |
| MISC. CHARGES *        | 20.00  |
| TOTAL CHARGES          | 429.95 |
| LESS INSURANCE         | 240.00 |
| SALES TAX              | 10.45  |
| PLEASE PAY THIS AMOUNT | 200.40 |

DATE CUSTOMER SIGNATURE AUTHORIZED DEALERSHIP REPRESENTATIVE SIGNATURE

Repairs Performed By (List mechanics/team leader and names of any subcontractors):

Names: \_\_\_\_\_  
 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.

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**TEARMAN SPENCER**  
City Attorney

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**ROBIN A. PEDERSON**  
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**CLINT B. MUCHE**  
**JOANNA FRACZEK**  
Assistant City Attorneys

August 17, 2023

*Mailed  
8-22-2023*

Mr. Jamal LeBlanc  
3725 Canal Bank Drive  
Slidell, LA 70461

RE: Communications from JAMAL LEBLANC  
C.I. File No. 1029-2023-503

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The Infrastructure Services Division did not have knowledge of a hazard in the roadway on this segment. Accordingly, we cannot accept liability for your damages, and we are denying your claim.

A rectangular stamp with the word "COPY" in a bold, sans-serif font. To the left of the word is a small icon of a document with a checkmark.




Mr. Jamal LeBlanc  
August 17, 2023  
Page Two

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City Attorney

  
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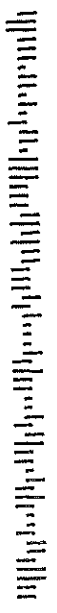
1029-2023-503/286717


**CITY OF MILWAUKEE**  
 OFFICE OF THE CITY ATTORNEY  
 800 City Hall  
 200 East Wells Street  
 Milwaukee, Wisconsin 53202-3551

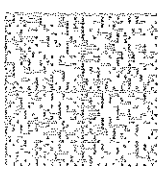
Mr. Jamal LeBlanc  
 3725 Canal Bank Drive  
 Slidell, LA 70461



021 GZD-SSB 70461



PRESORTED  
FIRST CLASS



US POSTAGE  
 ZIP 53202 \$ 0.00 AQ3  
 02 40 5550 405 22 2009