

Cynthia Calderon
1326 S 25th Street
Milwaukee, WI 53204
Phone #: (262) 744-8371
File No. 1068-2015-2576

February 21, 2016

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

RECEIVED

FEB 25 2016

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2016 FEB 24 A 11: 14
CITY CLERK'S OFFICE

To Whom It May Concern,

I am requesting hearing because I disagree with the final decision. The last letter received stated: "The failed tree was located within Mitchell Park, a **Milwaukee County property;**" and for that reason the city is not legally liable for the damage. On the other hand, I have received a letter from Milwaukee County Insurance Corporation stating otherwise. *Please see the attachment for the letter received.*

Sincerely,


Cynthia Calderon



Wisconsin County Mutual Insurance Corporation

September 14, 2015

Ms. Cynthia Calderon
1326 S. 25th St.
Milwaukee, WI 53204

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FEB 25 2016

OFFICE OF
CITY ATTORNEY

RE:	WCMIC Insured:	Milwaukee County
	Claimant:	Cynthia Calderon
	Date of Incident:	August 14, 2015
	Claim number:	185-99916393

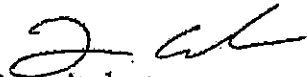
Dear Ms. Calderon;

Aegis Corporation is the General Administrator for Wisconsin County Mutual Insurance Corporation, which insures Milwaukee County under a policy of general liability coverage applicable to the above captioned date of loss.

Our principal, Wisconsin County Mutual Insurance Corporation, has requested that we advise you that upon completion of our investigation, they find we will be unable to assist your client with any settlement of damages or costs which he may have sustained in the above captioned incident.

It appears that the tree in question is in the right of way of Pierce Street and therefore this claim should be directed to the City of Milwaukee. As such, our principal regrets that it must decline any claim resulting from this incident, but finds that there is no liability on the part of their insured Milwaukee County.

Very truly yours,
**WISCONSIN COUNTY MUTUAL
INSURANCE CORPORATION**


Ryan Anderson
Field Claims Representative
Aegis Corporation

Cc: Milwaukee County
Wisconsin County Mutual Insurance Corporation

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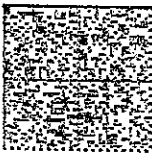
CITY OF
MILWAUKEE

OFFICE OF THE CITY ATTORNEY

800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

Ms. Cynthia Calderon
1326 South 25th Street
Milwaukee, WI 53204

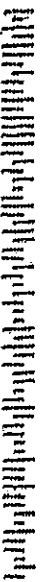
PRESORTED
FIRST CLASS



US POSTAGE & PERMIT NO. 100
MILWAUKEE, WI
ZIP 53202 \$ 000.391
D2 1W 0001396561 FEB 03 2016



9942355B 53204



Cynthia Calderon
1301 S 25th St
Milwaukee WI 53204

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®

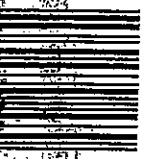


51015 1520 0802 9944 8474

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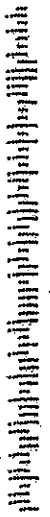
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FEB 25 2016

POSTAL SECURITY
REQUESTED



U.S. POSTAGE
PAID
MILWAUKEE, WI
53204
FEB 22, 16
AMOUNT
\$6.96
00135916-13

Milwaukee City Clerk
200 East Wells Street Room #105
Milwaukee WI 53202



53202357099

Notice of claim against Milwaukee City

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Name: Cynthia Calderin

Address: 1326 S 25th St, Milwaukee WI 53204

Telephone: 262-744-8371 & 262-744-4542

Date of Accident/Loss: 8/14/15

Dollar Amount Claimed: 11,582.91

* Briefly state the facts of the accident/loss:

On Friday August 14, 2015 around 7:30 pm my husband parked the car between 23rd and 24th W pierce St right by swimming pool for a Church event at Domes in the Mitchell Park. Once parked the husband, mother in law and my son were waiting inside the car for the heavy rain to stop a large branches of a tree fell on top of my vehicle causing damages to my car. The damages includes: Broken windshield, the front passenger broken window, the roof, front door dents and the hood. After an estimate provided by Maaco determined that my car was total loss.

P.S. See Attached Police Report and Car Estimate

Signature: Cynthia Calderin Date: 10/15/15

CITY OF MILWAUKEE
2015 OCT 16 PM 3:49
CITY CLERK'S OFFICE



Wisconsin County Mutual Insurance Corporation

September 14, 2015

Ms. Cynthia Calderon
1326 S. 25th St.
Milwaukee, WI 53204

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OCT 19 2015

OFFICE OF
CITY ATTORNEY

RE: **WCMIC Insured:** **Milwaukee County**
 Claimant: **Cynthia Calderon**
 Date of Incident: **August 14, 2015**
 Claim number: **185-99916393**

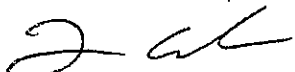
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Very truly yours,
**WISCONSIN COUNTY MUTUAL
INSURANCE CORPORATION**


Ryan Anderson
Field Claims Representative
Aegis Corporation

Cc: Milwaukee County
Wisconsin County Mutual Insurance Corporation

Detailed History for Police Call #152262789 As of 8/24/2015 12:47:41

Output for:

Priority:3 Type:1304 - ACC PDO

Location:S 23RD ST / W PIERCE ST,MKE < 700/ 2299>

Created:	08/14/2015 19:33:09	PD07	018372
Entered:	08/14/2015 19:33:09	PD07	018372
Dispatch:	08/14/2015 19:33:09	PD07	018372
Enroute:	08/14/2015 19:33:09	PD07	018372
Onscene:	08/14/2015 19:33:09	PD07	018372
Closed:	08/14/2015 23:11:07	PD07	018372

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IC: PrimeUnit:2284 Dispo:CI Type:1304 - ACC PDO

Agency:MWPD DAREA:D2 Squad Area:230 RptDist:5218 Detail

- 19:33:09 CREATE Location:S 23RD ST / W PIERCE ST,MKE Type:1304 DAREA:D2 RptDist:5218
TypeDesc:ACC PDO LocDesc: < 700/ 2299> Priority:3 Response:IPO Agency:MWPD
SquadArea:230 LocType:L
- 19:33:09 ENTRY Comment:DOWN TREE FELL DOWN ON CARS
- 19:33:09 DISPOS 2284 Location:S 23RD ST / W PIERCE ST,MKE Operator:017998 018023 OperNames:FOTH,
RYAN R SAAVEDRA, MARTIN
- 19:33:09 -PRIU 2284
- 19:33:09 -PREMIS Comment:PPR
- 19:35:01 MISC 2284 Comment:TREE BLOCKING TRAFFIC EAST AND WEST
- 19:36:22 INFO Location:S 24TH ST / W PIERCE ST,MKE Name:SPRINT RAddr:2102 W PIERCE ST -
E,MKE Phone:(414) 349-5418 Source:WPH2 LocDesc: < 700/ 2399> Priority:3
Contact?:HANG-UP/Abandoned Language?:English Comment:ABAND CALL
BACK //LARGE BRANCHES AND ON TOP OF VEHS AND IN STREET NEAR
DOMES //REL TO 2789
- 19:36:22 ALI E911Phne:414/349-5418 E911Pilot:414/511-7728 E911Add:2102 W PIERCE ST - E,MKE
E911Subs:SPRINT E911Src:WPH2 AliLong:-87.924442 AliLatitude:43.020347
- 19:36:22 ALIGEO GeoLong:-87.924442 GeoLat:43.020347 ClosestAdd:1034 W WASHINGTON ST AddDesc:64 ft
N ClosestInt:W WASHINGTON ST / S 10TH ST InterDesc:155 ft NW
- 19:37:43 MISC 2284 Comment:SS/DROP OFF CONES
- 19:37:47 MISC 2284 Comment:NO RUSH
- 19:47:36 *RFT 2284 Comment:INQUIRY QPER,DAVILA DE VIERA,ELEAZAR,,M,W,11271983,,,,
- 19:49:34 *RFT 2284 Comment:INQUIRY QVEH,,925TGLAT,00,,,
- 19:49:48 *RFT 2284 Comment:INQUIRY QVEH,,272VXD,AT,00,,,
- 19:54:30 *RFT 2284 Comment:INQUIRY QVEH,,272UXD,AT,00,,,
- 20:09:39 CONTACT 2284 ContactTime:30
- 20:45:33 CONTACT 2284 ContactTime:45 Comment:STILL HERE WAITING ON DPW
- 20:56:46 BACKER 768 UnitID:2284 Location:S 23RD ST / W PIERCE ST,MKE Operator:018938 018567
OperNames:KOWALIK JR, MILES D RODRIGUEZ, ERIK D Comment:CV 2280
- 20:57:04 BACKER 2480 UnitID:768 Location:S 23RD ST / W PIERCE ST,MKE Operator:018642
OperNames:KITTS, DEREK J
- 21:11:57 *ONSCN 768
- 21:12:46 *CHGLOC 768 Location:D2 Comment:MEET UP WITH PARTNER
- 21:20:45 ONSCN 2480
- 21:21:04 ONSCN 768
- 21:21:11 CLOS 768 Location:D2,MKE
- 21:32:02 CONTACT 2284 ContactTime:40
- 21:36:29 *CLEAR 768 Dispo:CI DispoLevel:0 Comment:THE PASSENGER CI2 X3 THE TRAFFIC STOP
- 22:25:47 CONTACT 2284 ContactTime:30

23:06:50 CLEAR 2284
23:11:07 CLEAR 2480
23:11:07 -CLEAR
23:11:07 CLOSE

CONTACT INFO:

Name	Phone	RPaddr	Contact?	Language?	Resolved?	Satisfied?
SPRINT	(414) 349-5418	2102 W PIERCE ST - E,MKE	HANG-UP/Abandoned	English		

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MAACO COLLISION REPAIR & AUTO PAINTING
4128 SOUTH 13TH STREET
MILWAUKEE, WI 53221
PHONE: 414-282-4567 FAX: 414-282-7177

OCT 19 2015

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*** PRELIMINARY ESTIMATE ***

08/24/2015 10:59 AM

Inspection

Inspection Date: 08/24/2015 10:59 AM
Primary Impact: Front

Inspection Type:
Secondary Impact:

Contact: JAY BOWEN

Repairer

Repairer: Maaco Collision Repair & Auto
Paint

Contact:

Address: 4128 S. 13th Street
City State Zip: Milwaukee, WI 53221
Email: djw7210@aol.com

WorkDay: (414)282-4567
FAX: (414)282-7177

Vehicle

2002 Honda Accord LX 4 DR Sedan
4cyl Gasoline 2.3 VTEC
4 Speed Automatic

Lic.Plate: 272UXD
Lic Expire:
Veh Insp#:
Condition: Good
Ext. Refinish: Two-Stage

Lic State: WI
VIN: Inaccessible VIN
Mileage Type: Actual
Code: H1263B
Int. Refinish: Two-Stage

Options

AM/FM CD Player	Air Conditioning	Bucket Seats
Center Console	Cruise Control	Dual Airbags
Intermittent Wipers	Lighted Entry System	Power Brakes
Power Door Locks	Power Mirrors	Power Steering
Power Windows	Rear Window Defroster	Rem Trunk-L/Gate Release
Tachometer	Tilt Steering Wheel	Tinted Glass
Velour/Cloth Seats		

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
Front Body And Windshield									
1	EP	83		Panel,Hood	Replace PXN	\$350.00		1.2	SM
2	L	83	13	Panel,Hood	Refinish			5.4	RF
					2.9 Surface				
					1.1 Edge				

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			0.6 Two-stage setup						
			0.8 Two-stage						
3	RI	83	Hood Panel R & I	R & I Assembly				INC SM	
4	E	84	Hinge,Hood Panel LT	60170SS0000ZZ	\$22.95		0.2	SM	
5	L	84	Hinge,Hood Panel LT	Refinish			0.4	RF	
			0.3 Surface						
			0.1 Two-stage						
6	RI	84	Hinge,Hood Panel LT	R & I Assembly				INC SM	
7	E	85	Hinge,Hood Panel RT	60120SS0000ZZ	\$22.95		0.2	SM	
8	L	85	Hinge,Hood Panel RT	Refinish			0.4	RF	
			0.3 Surface						
			0.1 Two-stage						
9	RI	85	Hinge,Hood Panel RT	R & I Assembly				INC SM	
10	EP	103	Fender,Front LT	Replace PXN	\$147.00		2.4	SM	
11	L	103	Fender,Front LT	Refinish			3.0	RF	
			2.0 Surface						
			0.5 Edge						
			0.5 Two-stage						
12	EP	104	Fender,Front RT	Replace PXN	\$147.00		1.6	SM	
13	L	104	Fender,Front RT	Refinish			3.0	RF	
			2.0 Surface						
			0.5 Edge						
			0.5 Two-stage						
14	N	143	Windshield R & I	Additional Labor				INC SM	
15	NG	143	Windshield,Shaded	NAGS FW2064-GB	\$200.45			INC SM	
16	E	151	Mldg Assy,W/S Reveal	73150S84A02	\$87.62			INC SM	
17	RI	151	Mldg Assy,W/S Reveal	R & I Assembly				INC SM	
18	E	147	Blade Assembly,Wiper LT	76620S84A01	\$18.73			INC SM	
19	RI	147	Blade Assembly,Wiper LT	R & I Assembly				INC SM	
20	E	148	Blade Assembly,Wiper RT	76630S84A01	\$14.58			INC SM	
21	RI	148	Blade Assembly,Wiper RT	R & I Assembly				INC SM	
22	E	145	Arm,Wiper Blade LT	76600S84A01	\$65.78			INC SM	
23	RI	145	Arm,Wiper Blade LT	R & I Assembly				INC SM	
24	E	148	Arm,Wiper Blade RT	76610S84A01	\$68.27			INC SM	
25	RI	148	Arm,Wiper Blade RT	R & I Assembly				INC SM	
26	E	1124	Motor,Wiper	7650S84A01	\$262.95			INC SM	
27	RI	1124	Motor,Wiper	R & I Assembly				INC SM	
28	E	1126	Link,Wiper LT	76550S84A01	\$25.47			INC SM	
29	RI	1126	Link,Wiper LT	R & I Assembly				INC SM	
30	E	159	Panel,Cowl Top	74200S84A00	\$378.72			INC SM	
31	RI	159	Panel,Cowl Top	R & I Assembly				INC SM	
Front Body Interior Sheetmetal									
32	EP	107	Skirt,Inner Fender LT	Replace PXN	\$39.00			0.1 SM	
33	RI	107	Skirt,Inner Fender LT	R & I Assembly				INC SM	
34	EP	108	Skirt,Inner Fender RT	Replace PXN	\$39.00			0.1 SM	
35	RI	108	Skirt,Inner Fender RT	R & I Assembly				INC SM	
Roof									
36	E	341	# Panel,Roof # = 01, 02	62100S84A00ZZ	\$995.72			18.3 SM	
37	L	341	Panel,Roof	Refinish				2.7 RF	
			2.7 Surface						
			INC Two-stage						
38	RI	341	Panel,Roof	R & I Assembly				INC SM	
39	RI	343	Glass Panel,Roof	R & I Assembly				INC SM	
40	E	351	Mldg,Roof Drip LT	72460S84A01	\$83.55			INC SM	
41	RI	351	Mldg,Roof Drip LT	R & I Assembly				INC SM	
42	E	352	Mldg,Roof Drip RT	72420S84A01	\$83.55			INC SM	
43	RI	352	Mldg,Roof Drip RT	R & I Assembly				INC SM	
44	E	356	Mldg,Roof Side LT	74316S84003	\$22.95			INC SM	
45	RI	356	Mldg,Roof Side LT	R & I Assembly				INC SM	
46	E	357	Mldg,Roof Side RT	74306S84003	\$22.95			INC SM	

47	RI	357		Mldg, Roof Side RT	R & I Assembly			INC	SM
48	E	467	02	Frame, Glass Panel	70100S84A01	\$353.62		1.2	SM
49	RI	467		Frame, Glass Panel	R & I Assembly			INC	SM

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Front Doors

50	I	207		Door Shell, Front LT	Repair			2.5*	SM
51	L	207		Door Shell, Front LT	Refinish			2.3	RF
					1.9 Surface				
					0.4 Two-stage				
52	I	208		Door Shell, Front RT	Repair			4.5*	SM
53	L	208		Door Shell, Front RT	Refinish			2.0	RF
					1.9 Surface				
					0.1 Two-stage				
54	EP	229		Mirror, Outer R/C LT	Replace PXN	\$134.00		0.7	SM
55	L	229		Mirror, Outer R/C LT	Refinish			0.5	RF
					0.5 Surface				
					INC Two-stage				
56	NG	216		Glass, Front Door T RT	NAGS FD20315-GT	\$179.05		1.0	SM
57	RI	216		Glass, Front Door T RT	R & I Assembly			INC	SM

Quarter And Rocker Panel

58	ET	625	07	Pillar, Windshield LT	Partial Replace Labor			2.7	SM
59	L	625		Pillar, Windshield LT	Refinish			0.6	RF
					0.5 Surface				
					0.1 Two-stage				
60	ET	626	07	Pillar, Windshield RT	Partial Replace Labor			2.7	SM
61	L	626		Pillar, Windshield RT	Refinish			0.6	RF
					0.5 Surface				
					0.1 Two-stage				
62	TE	161	#	Panel, Bodyside Front LT # = 02, 07	Partial Replace Price	\$1,635.50			SM
63	TE	162	07	Panel, Bodyside Front RT	Partial Replace Price	\$1,635.50			SM
63	Items								

MC Message

- 01 CALL DEALER FOR EXACT PART # / PRICE
- 02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO.
- 07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
- 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts		\$5,801.36
Other Parts		\$1,235.50
Paint & Materials	20.9 Hours @ \$30.00	\$627.00
Parts & Material Total		\$7,663.86
Tax on Parts & Material	@ 5.600%	\$429.18

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$54.00	33.3	7.0	40.3	\$2,176.20
Mech/Elec (ME)	\$96.00				
Frame (FR)	\$65.00				
Refinish (RF)	\$54.00	20.9		20.9	\$1,128.60

Labor Total		61.2 Hours	\$3,304.80
Tax on Labor	@ 5.600%		\$185.07
Gross Total			\$11,582.91
Net Total			\$11,582.91 TOTAL LOSS

Alternate Parts Y/06/06/00/00/00 CUM 06/06/00/00/00 Zip Code: 53221 Audatex Host
Recycled Parts Y/12/0 Zip Code: 53221

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Audatex Estimating 7.0.533 ES 08/24/2015 11:04 AM REL 7.0.533 DT 08/04/2015 DB 08/15/2015
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3.3 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.
ESTIMATE CALCULATED USING THE 2.5 HOUR MAXIMUM ALLOWANCE FOR TWO-STAGE REFINISH OF NON-FLEX, EXTERIOR SURFACES.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpts	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	

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