

November 9, 2004
Paxton McClendon Claimant
3816 N. 22nd St.
Milwaukee, WI 53206
RE: C.I. File # 04-S-298

Dear Mr. Langley City Attorney & Mr. Steven M. Carini Investigating Adjuster:

I have received and reviewed the report regarding my claim for damages and your decision. I am not in agreement with the decision. Therefore, I am requesting an appeal to your decision. In your report it was stated that I said nothing about the items in mention to be missing. This statement is false. I received information from a female police officer from District 7 stating that only interior damage was done to the vehicle. I made arrangements to retrieve the vehicle. After attempting to retrieve the vehicle it was apparent that substantial damage had occurred to the exterior of the vehicle. I called Mr. Black to respond to the information I received from the female police officer from District 7 stating that only interior damage was done to the vehicle. Mr. Black informed me to go and file a claim with the City Attorney's claim office. As you know after filing this claim it has been denied by you. It was apparent that this damage had recently occurred as the radiator and the hose appeared to be recently dismantled and cut. The battery was gone, as was the radiator, the front grill was gone, and the sliding door was gone. This was definitely not the situation before the vehicle was stolen.

I feel that those who were responsible for the intake report at the tow lot were in error and in their inspection and final report on damages. The liability should be that of the City's as their report is faulty and untrue as a result of negligence.

As a final recourse I do thereby request a fair hearing to contest the decision made on C.I. File # 04-S-298. I also request to be notified to an expected time frame by which this matter will be heard and hopefully resolved as my income as a contractor has suffered with much difficulty as this vehicle provided transportation as a jobs contractor.

*Paxton McClendon
3816 N. 22nd Street
Milwaukee, WI 53206*

CITY OF MILWAUKEE
RECEIVED

'04 NOV 15 PM 4: 07

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
NOV 12 PM 4: 07
CITY CLERK

To: THE City of Milwaukee
40 Claims Dept

CITY OF MILWAUKEE

AM 9:29

RONALD J. BISHOP
CITY CLERK

Re: Damage to Vehicle - stolen
Tow # 1196590

~~VN-1G8EG25H6E7128743~~

Gmc-Chevy Van - 1984

→ V.N. - 1G8EG25H6E7128743

I Paxton McClendon is filing a claim against the milw. City Tow - located on 37th Lincoln. My Vehicle was reported stolen to the MPD on 7-18-04 from my residence at 3077 N. 61st ST. I was notified by MPD on 7-28-04 that my vehicle had been located on 33rd + center. AT that time I was given a computerized notice that the damage that was discovered was the interior of my VAN. Due to me being a carpet installer my vehicle is used for my employment, therefore I had (2) seats removed from the van originally. When

04 AUG 27 AM 11:25

CITY OF MILWAUKEE
CLERK

CITY OF MILWAUKEE
RECEIVED

I went to recover my vehicle
ON 8- -04 I then discovered
that the exterior of my Van
had been damaged or stripped,
(See the enclosed Photos)

There was no battery, radiator,
front grill or sliding side door.
There was a \$525.00 charge for
towing + storage. Due to the MPD
not notifying me in 3 days ~~before~~
after moving the Van to the City
Tow lot the milw. City Attorney
Office gave me \$60.00 - \$20.00/day
credit towards the total cost
of getting my Van off the City
Tow Lot.

I observed that due to the
rain prior to me picking up
the Van the interior carpet
was not wet. Therefore the
door (side) had to be removed
recently. Also the radiator
hoses had been recently cut.

I have enclosed photos and
2 estimates of the damages.

that have been discovered,
Therefore I'm bringing this
matter to your attention
and hopefully you will investigate
and resolve.

Thank You

I can be reached at

Home (414) 444-2152 / 871-1265

PR # 575-5477

M.A.P.

08/23/2004 at 11:30 AM
34435

Job Number:

MIDTOWNE AUTO BODY
OUR WORK SPEAKS FOR ITSELF
3901 N. MARTIN LUTHER KING DR.
MILWAUKEE, WI 53206
(414)562-8411 Fax: (414)562-8414

PRELIMINARY ESTIMATE

Written by: DARRELL HILLMAN #
Adjuster:

Insured: PAXTON MCCLENDON Claim #
Owner: PAXTON MCCLENDON Policy #
Address: 3077 N 61ST APT #1 Deductible:
MILWAUKEE, WI 53210 Date of Loss:
Day: Type of Loss:
Evening: Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

1984 GMC G15 4X2 RALLY STX 6-4.1L-2 2D VAN Int:
VIN: 1GBEG25H6E7128743 Lic: Prod Date: Odometer:
Body Side Moldings Dual Mirrors Clear Coat Paint
Power Steering Power Brakes Hiback Bucket Seats

NO.	OP.	DESCRIPTION	QTY	EXT.	PRICE	LABOR	PAINT
1		GRILLE					
2	0 Repl	Grille GMC w/o chrome	1	163.20		0.4	0.8
3		Add for moldings				0.4	
4		FRONT LAMPS					
5	0 Repl	LT Headlamp assy bezel w/o chrome grille	1	49.97		0.3	
6	Repl	RT Side marker lamp w/o chrome	1	21.00		0.3	
7	Repl	LT Side marker lamp w/o chrome	1	21.00		0.3	
8	Repl	LT Headlamp assy upper	1	34.23		0.3	
9		Aim headlamps				0.5	
10		SIDE LOADING DOOR					
11	Repl	Door shell w/window	1	513.31		4.0	4.2
12		Add for Clear Coat					1.7
13		COOLING					
14	Repl	Radiator	1	399.67	m	0.9	
15	Repl	Upper hose 6 cylinder	1	28.65	m	0.5	
16		Deduct for Overlap				-0.3	
17	Repl	Lower hose 6 cylinder	1	21.34	m	0.5	
18		Deduct for Overlap				-0.2	

08/23/2004 at 11:30 AM
34435

Job Number:

PRELIMINARY ESTIMATE
1984 GMC GL5 4X2 RALLY STX 6-4.1L-2 2D VAN Int:

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
19#		COOLANT	1	20.00		
20#		ADD TWO TONE COLOR	1			3.0
Subtotals ==>				1272.37	7.9	9.7

Parts		1272.37
Body Labor	7.9 hrs @ \$ 46.00/hr	363.40
Paint Labor	9.7 hrs @ \$ 46.00/hr	446.20
Paint Supplies	9.7 hrs @ \$ 26.00/hr	252.20
SUBTOTAL		\$ 2334.17
Sales Tax	\$ 2334.17 @ 5.6000%	130.71
GRAND TOTAL		\$ 2464.88

ADJUSTMENTS:		
Deductible		0.00
CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 2464.88

ALL WORK HAS A ONE YEAR WARRANTY

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.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide DELG881 Database Date 6/2004 and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (-) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recon. Recored parts are described as Recore. NAGS Part Numbers and Prices are provided from National Auto Glass Specifications, Inc. Pound sign (#) items indicate manual entries.

Pathways - A product of CCC Information Services Inc.

JOHN'S A-1 AUTO BODY

Federal Tax ID: 391977593
 9209 W FOND DU LAC AVE.
 Milwaukee, WI 53225
 Phone #: (414) 358-1967
 Fax #: (414) 358-1973

Customer No: 1911
 Report No: 1888
 Claim #:
 Assign No:

Estimate

8/26/04

Vehicle Information	Owner - Paxton McClendon	Accident Location
1984 Chev-GMC Truck 1 Ton Van (Old Style)	Milwaukee, WI 53225	
Style:	Home Phone: (414) 444-2152	Phone #1: -
Color:	Work Phone: (414) -	Phone #2: -
Color Code:	Fax #: (414) -	
Production Date: / 0		
License: State: WI	Insured -	Claimant -
VIN: 1GBEG25H6E7128743		
Miles In: 0		
Miles Out: 0	Home Phone: (414) -	Home Phone: (414) -
Condition:	Work Phone: (414) -	Work Phone: (414) -
Estimator: JAMES MATTHEWS	Fax #: (414) -	Fax #: (414) -
Date Assigned: 8/26/04	Date of Loss: 8/26/04	Date of Inspection: 8/26/04

Description of Work	Part Number	Price	Labor	Paint	Other
GRILLE - GRILLE & COMPONENTS					
1 Replace Aftermarket GRILL;LtGRY;w/oMLDG HOLES;VAN +Clearcoat (0.3)	GM12001541	\$77.00 *	0.4 body	0.8	
FRONT LAMPS - HEADLAMP COMPONENTS DUAL RECTANGULAR					
2 Replace Right Front Headlamp assy, bezel, Chevrolet	14052298	\$47.56	0.3 body		
3 Replace Left Front Headlamp assy, bezel, Chevrolet	14052297	\$47.56	0.3 body		
4 Replace Left Front Lamp Headlamp Sealed beam, upper	16532129	\$37.16	0.1 body		
COOLING - RADIATOR & COMPONENTS					
5 Replace Radiator	52481621	\$399.67	0.9 mech		
6 Replace Radiator Upper hose, 8 cylinder, gas -Body Overlap (0.3)	15598394	\$24.92	0.5 mech	-0.3	
7 Replace Radiator Lower hose, 8 cylinder, gas -Body Overlap (0.3)	15598395	\$21.43	0.5 mech	-0.3	
SIDE LOADING DOOR - DOOR & COMPONENTS. SLIDING TYPE					
8 Replace LKQ Door shell, w/window +Interior Surface (0.5) +Clearcoat (1.5*)	*** LKQ ***	\$400.00 *	4.0 body	3.2	
Other operations					
9 * Refinish tint and blend				1.5*	
10 * Hazardous Waste Disposal					\$5.00* taxed
11 * Cover car for paint					\$5.00* taxed
12 * CORROSION PROTECTION					\$12.00* taxed
Sub Totals		\$1,055.30	6.4	7.8	

JOHN'S A-1 AUTO BODY

Federal Tax ID: 391977593
9209 W FOND DU LAC AVE.
Milwaukee, WI 53225
Phone #: (414) 358-1967
Fax #: (414) 358-1973

Customer No: 1911
Report No: 1888
Claim #:
Assign No:

Estimate

8/26/04

**IN BUSINESS SINCE '1990
**STATE LICENSE #67972

THANK YOU FOR LETTING US SERVE YOU
LIFE TIME WARRANTY ON ALL INSURANCE REPAIRS
WE GUARANTEE YOUR SATISFACTION

	Hours	Rate	Total
Body Labor	5.1hrs	\$46.00/hr	\$234.60 †
Paint Labor	6.0hrs	\$46.00/hr	\$276.00 †
Clearcoat Labor	1.8hrs	\$46.00/hr	\$82.80 †
Mech Labor	1.3hrs	\$75.00/hr	\$97.50 †
OEM Parts			\$578.30 †
LKQ Parts			\$400.00 †
Aftermarket Parts			\$77.00 †
Paint Supplies	6.0hrs	\$24.00/hr	\$144.00 †
Clearcoat	1.8hrs	\$24.00/hr	\$43.20 †
Misc Taxed			\$22.00 †
Tax		\$1955.40 @ 5.6000%	\$109.50
Grand Total			\$2,064.90

Estimate based on MOTOR CRASH GUIDE (DE1GB81). 3/04

* Indicates Estimator's Judgment

† Indicates Taxed Item

1-Indicates aftermarket part taken from Keystone, Milwaukee pricing guide. Call (800) 924-8230 to order.



