

# CITY OF MILWAUKEE

Form CA-43

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City Attorney

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October 21, 2003

West Bend Mutual Insurance Company  
Attn: Jeana Steffens, Claims Representative  
1900 South 18<sup>th</sup> Avenue  
West Bend, WI 53095

RE: C.I. File No: 03-V-139  
Your Clm No: HHW 5336255 04 JA  
Your Insureds' Gilbert & Elaine Kriegl

Dear Ms Steffens:

This office is in receipt of your claim in the amount of \$4,236.13, relating to your subrogation interest and the interest of your insured arising from an August 10, 2003 loss in which your insured was involved in an accident with a police vehicle at South 20<sup>th</sup> Street and West Oklahoma Avenue.

Our investigation reveals that the Wisconsin Motor Vehicle Accident Report completed as a result of this accident note that the Milwaukee Police Department vehicle was operating in an emergency capacity with its warning lights and siren activated and entered the intersection. Another vehicle failed to yield the right-of-way and was cited. The liability for his accident is upon the other driver. As such, the City cannot accept liability for your insured's damages. Accordingly, we are denying your claim.

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

*Steven M. Carini*  
Steven M. Carini  
Investigator Adjuster

SMC:beg  
1032-2003-3369:73883

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