

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY

800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 13, 2002

American Family Insurance Group
Attn: Neil Schmidt
Post Office Box 2927
Milwaukee, WI 53201-2927

RE: C.I. File No: 02-S-332
Your Clm No: 00-651-310843-0623
Your Insured: Carl & Marilyn White

COPY

Dear Mr. Schmidt:

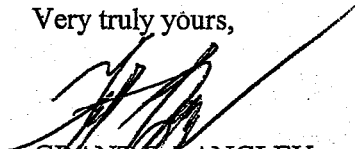
This office is in receipt of your claim in the amount \$1,728.15, relating to your subrogation interest and the interest of you insured arising from a September 29, 2002 incident in which your insured's vehicle was struck by a branch that fell from a tree owned by the City and located at 4556 North 71st Street.

The Forestry Division records indicate that on October 2, 2002, the Division received an emergency request involving a tree branch on your insured's vehicle. The tree was alive and showed no external signs of decay. Your insured indicated the damage occurred on September 29, 2002. The trees in this area were pruned June, 1999 per the division's programmed pruning schedule. The division searched its records for the last four years and found no notice of potential hazardous conditions or service requests for this location. The division acted within their established procedures. In addition, the limb fell from a live sound tree during windy conditions, and as such, the City cannot accept liability for your insured's loss. Accordingly, we are denying your claim.

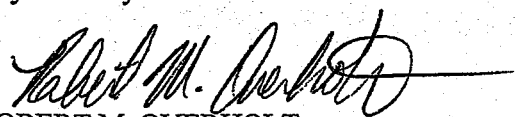
American Family Insurance Group
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If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1068-2002-3140:60160

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