

**FRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**JINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
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  
KATHRYN Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
Assistant City Attorneys

November 7, 2008

A.C. Anderson  
3044 North 41st Street  
Milwaukee, WI 53210

RE: A.C. Anderson  
C.I. File No: 08-S-609

Dear Mr. Anderson:

We have received your claim in the amount of \$1,493.24, relating to damage allegedly sustained to your vehicle on July 23, 2008 when a branch from a City tree fell onto it while it was parked at 3044 North 41<sup>st</sup> Street.

Our investigation reveals that the Forestry Division records indicate that on July 23, 2008 they were notified of a broken branch down on a vehicle at 3044 North 41<sup>st</sup> Street. They responded and found that a 2.5 inch diameter limb, approximately 13 feet in length, had fallen from a 28 inch diameter Green Ash tree growing in the tree border adjacent to 3040 North 41<sup>st</sup> Street. Prior to this incident, the tree and limb were alive with no outward signs of decay or defects. They proceeded to remove the limb. The division also reviewed their records from 2001 through 2008 and found no complaints or service requests regarding any defects or decay for this tree. The tree is on a pruning schedule and was last pruned in 2007. There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we are denying your claim.

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

Very truly yours,



GRANT B. LANGLEY  
City Attorney

*Steven M. Carini*

STEVEN M. CARINI  
Investigator Adjuster

SMC:beg  
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