

Attached please find four final, documents that I would ask be added to the file for the Committee's consideration when my client presents on Monday. This is material that we were not able or prompted to share as part of the underlying claim, as we were not informed until we received the denial that the city claimed the tree branch was alive at the time it fell, and only fell due to wind claimed to have reached 23 MPH on July 9.

The attached material demonstrates conclusively that the City's claim of wind reaching 23 MPH on July 9 is false.

(1) NOAA Data: glert.noaa.gov/metdata/mil/archive/mil2025.01t.txt (attached as file name NOAA Data)

The raw NOAA data for Milwaukee for July 8-9 (or days 189 and 190 of 2025) is, as noted, helpful but requires looking carefully to understand. The relevant columns are, from left to right, Year, DOY (Day of Year), UTC (time in military time) WindSpd (Wind Speed in meters per second), and WindGst (Wind Gust which references spurts of wind). 1 mile per hour is .447 meters per second. I have copy and pasted the data linked above into the attached spreadsheet.

Look at the attachment and scroll down to days 189-90, specifically the highlighted rows 134,966 through 135,415. That is the night of 189 (July 8) going into the morning of 190 (July 9). You can see that there was wind, but that the "gust" speed never exceeded 8.6 meters/second, only reaching that level at 23:04 (or 11:04pm) on the night of July 8. For reference, 8.6 meters/second is about 19 MPH, or what the National Weather Service considers a "fresh breeze": Estimating Wind (attached as NWS - Estimating Wind)

Even 23 MPH winds, which the City claims would cause a living branch to fall off a tree, are considered a "fresh breeze" by the NWS. And moreover, the wind barely stayed at the elevated level (19 MPH) during that night, and only on July 8 (not the 9th). For almost all of the night, the wind was half or less than the 23 MPH the City claims knocked the branch down. That's because it didn't: the branch fell because the City's arborists failed to remove it when my client and his neighbor previously asked them to, but they failed to, out of negligence.

(2) Milwaukee Mitchell Airport Weather Station Data: Milwaukee, WI Weather History | Weather Underground (Attached as Mitchell Wind Measure - July 8 and Mitchell Wind Measure - July 9)

Data from the Mitchell wind station confirms the lack of wind. On July 8 there was a gust of wind during the day (around 3pm) that reached 20 MPH, but otherwise, it was around 10 MPH for the rest of the evening and into the morning of July 9, reaching 15 MPH again by 9am the next morning when the branch was already being removed.

Thank you for providing this information to the Committee.

Best,

Daniel J. Schneider