



October 10, 2005

CITY OF MILWAUKEE

2005 OCT 13 PM 1:19

RONALD D. LEONHARDT
CITY CLERK

Milwaukee City Clerk
200 E. Wells Street, Room 205
Milwaukee, WI 53202

TED M. WARSHAFSKY
COURT COMMISSIONER

GERALD J. BLOCH, S.C.

MERTON N. ROTTER

MICHAEL I. TARNOFF

WERNER A. REIS, M.D.

VICTOR C. HARDING

FRANK T. CRIVELLO II

ANN S. JACOBS

DAVID L. WEIR

Re: **Jennifer L. Reis**
C.I. File No.: 05-S-166

Dear Clerk:

Enclosed please find a letter of September 26, 2005, sent to Jennifer L. Reis by City Attorney Grant F. Langley.

By means of this letter, Jennifer L. Reis is "requesting a hearing" as that term is used in Mr. Langley's September 26, 2005 letter. Specifically, this means Jennifer L. Reis wishes to appeal the adverse decision contained in the September 26 letter.

I presume that Jennifer L. Reis will be notified of the details of the hearing, well in advance, so that she can prepare. As always, any correspondence to Jennifer L. Reis is to be addressed as Mr. Langley did in the September 26 letter.

Thank you very much.

Very truly yours,

WARSHAFSKY, ROTTER,
TARNOFF & BLOCH, S.C.

Werner A. Reis, M.D., J.D.

dmm
enclosure

PARALEGAL &
TECHNICAL STAFF:

JEAN A. ANDERSON
MEDICAL

JOBETH BARRETT
ENGINEERING

DANIEL P. GANNON
AUTOS

JOHN R. SCHATZMAN
INVESTIGATOR

SANDRA J. WHITE
AUTOS

CITY OF MILWAUKEE
OFFICE OF
CITY ATTORNEY
2005 OCT 13 PM 3:27

CITY OF MILWAUKEE
RECEIVED

NOTICE OF INJURY AND NOTICE OF CLAIM

2005 MAY 27 PM 2:49

In re: Jennifer L. Reis
839 N. Jefferson St. #601
Milwaukee, WI 53202

TO: City Clerk
City of Milwaukee
200 E. Wells St.
Milwaukee, WI 53202

CITY OF MILWAUKEE
05 MAY 27 PM 2:49
RONALD D. THORNTON
CITY CLERK

Please be advised that claim is hereby made for damages arising out of the destruction of personal property sustained by Jennifer L. Reis which occurred, at an unspecified time, sometime after 4:30 P.M. of May 17, 2005 and before 10:00 A.M. of May 24, 2005. Specifically, a 1994 Toyota Corolla automobile owned by Jennifer L. Reis was in the possession of the City of Milwaukee impound lot which is located at approximately 3800 W. Lincoln Ave., Milwaukee, Wisconsin. On May 3, 2005, the Police of the City of Milwaukee caused the automobile to be towed and placed in the custody of the impound lot. The reason for the towing was an issue regarding unpaid parking tickets. On May 17, 2005, at 4:37 P.M., Jennifer L. Reis did arrive at the payment bureau accompanied by her father, Werner A. Reis, and did pay the full and complete amount of the outstanding parking tickets, as well as any and all penalties attached thereto. As of that point in time, the parking ticket issue was a "clean slate."

At that time, Jennifer L. Reis did inquire of the person who accepted the money for the parking tickets as to whether or not the car may be picked up from the impound lot. She was told not to pick the car up, and that it would be unsafe to do so. She was told that in order to be safe, she must wait 5 to 7 business days before she can pick the car up. From this time until approximately 10 A.M. on May 24, 2005, Jennifer L. Reis did use a combination of taxicabs and public transportation in order to keep working her two jobs. When Jennifer L. Reis went to the impound lot on May 24, 2005, accompanied by her mother, Kathleen Clarke, she was told that her car had been "recycled" and that all of her personal possessions were gone. She was further told that she would not have been allowed to obtain her personal possessions in any event.

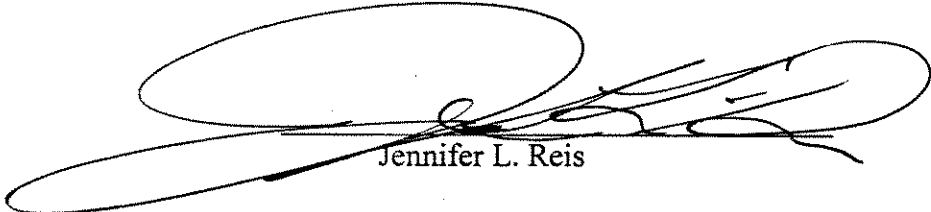
It is the allegation of Jennifer L. Reis that she relied upon the instructions of a City of Milwaukee employee, negligently given, with apparent authority to instruct her as to the proper procedure for obtaining possession of her vehicle. Because of this reliance, she delayed obtaining possession for approximately one week. During that week, her car was summarily "recycled," resulting both in the loss of the vehicle and all personal possessions therein.

It is a further allegation of Jennifer L. Reis that the City of Milwaukee impound lot was negligent in destroying her vehicle without, at a minimum, determining whether or not the fines had been paid. Payments were recorded on the Violations Bureau computer 14 days after the vehicle was towed.

As a result of this incident, Jennifer L. Reis claims the following damages:

- 1) The value of her vehicle, including license plate, registration sticker, overnight parking sticker good until 12/31/05, in the amount of \$2,564.00;
- 2) The value of her personal possessions in the amount of \$1,495.00;
- 3) The value of amounts spent, out-of-pocket, for substitute transportation between the date of the payment of the tickets (May 17, 2005) and the date of the filing of Notice of Injury and Notice of Claim (realizing that the need for substitute transportation is ongoing and may well be higher at the time of a final hearing) in the amount of \$300.00.

DATED at Milwaukee, Wisconsin this 26th day of May, 2005.


Jennifer L. Reis

/jaa

**AFFIDAVIT IN SUPPORT OF NOTICE OF CLAIM AND NOTICE OF INJURY
OF JENNIFER L. REIS**

STATE OF WISCONSIN)
) SS
MILWAUKEE COUNTY)

Your affiant, Attorney Werner A. Reis, M.D., swears and alleges as follows:

1) He is an adult citizen of the State of Wisconsin currently residing at W9140 Hahn Rd., Reeseville, Dodge County, Wisconsin 53579, and is the father of Jennifer L. Reis;

2) On May 17, 2005, he went with Jennifer L. Reis to the Violations Payment Center located on South Chase St., Milwaukee, Wisconsin.

3) That all violations and fees were paid by 4:37 P.M. that date;

4) That following the printing of a lengthy receipt proving payment, he did ask the clerk whether he and his daughter would now be able to pick up the car;

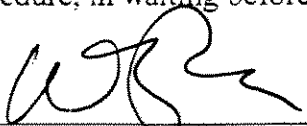
5) The clerk stated no, they could not do so, that it would take 5 to 7 days to clear this matter; that that means 5 to 7 business days; that they might attempt to claim the car, and if they were lucky, they might be given the car; but if they were given the car, it could just be towed away again, unless they waited 5 to 7 business days;

6) That after hearing this conversation, in the presence of Jennifer L. Reis, it was clear that the only safe and proper course was to wait 5 to 7 business days before picking up the car;

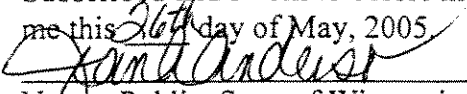
7) That there were two windows open at that time (4:37 P.M. of 5/17/05) at the payment center, and that one window was staffed by a woman of African American background, and that the other window was staffed by a person of apparent non-African American background; that the above instructions were given by the woman of apparent African American background;

8) That had this person in any way indicated lack of knowledge of the subject, or instructed in any way Jennifer L. Reis to contact the impound lot regarding the proper procedure, that the same could have been done that same evening or early the next morning;

9) That Jennifer L. Reis relied upon the apparent official instructions, and felt that she was following proper procedure, and safe procedure, in waiting before reclaiming her car.



Attorney Werner A. Reis, M.D.

Subscribed and sworn to before me
me this 26th day of May, 2005


Notary Public, State of Wisconsin
My commission expires 9/9/07.