

CITY OF MILWAUKEE

2019 JUN 25 A 9:22

CITY CLERK'S OFFICE

06/19/20

"City" Vehicle Number" INV 3735A w Scott

To the city of Milwaukee:

I, Maria De Los Angeles Arias wish to appeal decision of Denial for the Claim of City of Milwaukee Office of the city Attorney and request a hearing.

Maria Arias

3735A W Scott St,

Milwaukee Wi 53215

*Maria de los Angeles Arias*

RECEIVED  
OFFICE OF CITY ATTORNEY

JUN 26 2019

3:45 A.M./P.M.

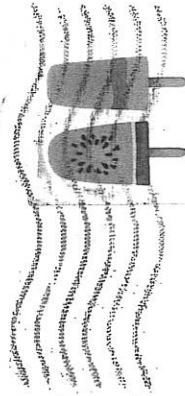
Maria Arias  
3735 A w Scott st  
Milwaukee wi  
53215

MILWAUKEE WI 532

20 JUN 2019 FH 5 L  
CITY OF MILWAUKEE

2019 JUN 25 A 9:22

CITY CLERK'S OFFICE



Milwaukee City Clerk,  
200 East wells st  
Room 205  
Milwaukee, wi



53202-357099

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OFFICE OF CITY ATTORNEY

DATE of Incident: 5/13/19

"City" Vehicle Number: INV 3735A W Scott

MAY 22 2019

4:15 A.M./P.M.

To the City of Milwaukee:

The reason of this Written Claim is because of an Incident that occurred on the date above. On a Monday morning, the city dump truck was picking up the garbage bins as usual, but this morning the city employees decide it would be easier to try and fit in a tight space than going around. This was between a garden and my Vehicle a Toyota Sienna 2011, and of course the space was to small that they scraped my van. I have already sent the video. I anything else is needed let me know, contact me at (414)-241-9295.

Maria Arias  
3735 A w scott st  
Milwaukee wi 53215

CITY CLERK'S OFFICE

2019 MAY 20 AM 11:22

CITY OF MILWAUKEE

414-737-4979

Nabor

**893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employe of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:**

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employe under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employe; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

To File A CLAIM with The CITY OF MILWAUKEE:

RECEIVED  
OFFICE OF CITY ATTORNEY

MAY 22 2019

4:15 A.M./P.M.

You will need the following information

DATE of Incident 5-13-19

"City" Vehicle Number INV 3735A W. Scott

OFFICE OF THE CITY CLERK  
Milwaukee, Wisconsin

# INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City, a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of this instruction sheet. Generally, the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours.
3. As detailed a description of the incident as possible, including the date, time and place. Include the "City" vehicle #.

All information should be submitted to:

City Clerk  
ATTN: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee, WI 53202-3567

## ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.



**DON JACOBS TOYOTA**  
5727 S 27th St, Milwaukee, WI 53221  
Phone: (414) 281-3100  
FAX: (414) 423-2077

Workfile ID: 4fd75113  
PartsShare: 5qj9fv  
Federal ID: 39-1288187

**Preliminary Estimate**

**Customer: Arias, Maria**

**Job Number:**

Written By: KEVIN VESPALEC

Insured: Arias, Maria  
Type of Loss:  
Point of Impact:

Policy #:  
Date of Loss:

Claim #:  
Days to Repair: 0

**Owner:**  
Arias, Maria  
(414) 241-9295 Cell

**Inspection Location:**  
DON JACOBS TOYOTA  
5727 S 27th St  
Milwaukee, WI 53221  
Repair Facility  
(414) 281-3100 Day

**Insurance Company:**

RECEIVED  
OFFICE OF CITY ATTORNEY

MAY 22 2019  
4:15 A.M./P.M.

**VEHICLE**

2011 TOYO Sienna XLE FWD w/Auto Access Seat/7-Passenger Seating 4D VAN 6-3.5L Gasoline EFI

VIN: 5TDYK3DC8BS128070  
License:  
State: WI

Interior Color:  
Exterior Color:  
Production Date:

Mileage In:  
Mileage Out:  
Condition:

Vehicle Out:  
Job #:

**TRANSMISSION**

Automatic Transmission  
Overdrive

**POWER**

Power Steering  
Power Brakes  
Power Windows  
Power Locks  
Power Mirrors  
Heated Mirrors  
Power Driver Seat

**DECOR**

Dual Mirrors  
Privacy Glass  
Console/Storage  
Overhead Console  
Wood Interior Trim

**CONVENIENCE**

Air Conditioning  
Intermittent Wipers  
Tilt Wheel  
Cruise Control  
Rear Defogger  
Keyless Entry  
Alarm  
Message Center  
Steering Wheel Touch Controls  
Rear Window Wiper  
Telescopic Wheel  
Climate Control  
Dual Air Condition  
Backup Camera w/Parking Sensors  
Dual Power Sliding Doors  
Home Link  
**RADIO**  
AM Radio

FM Radio  
Stereo  
Search/Seek  
CD Player  
Auxiliary Audio Connection  
Satellite Radio

**SAFETY**

Drivers Side Air Bag  
Passenger Air Bag  
Anti-Lock Brakes (4)  
4 Wheel Disc Brakes  
Traction Control  
Stability Control  
Front Side Impact Air Bags  
Head/Curtain Air Bags  
Hands Free Device

**ROOF**

Luggage/Roof Rack

Electric Glass Sunroof

**SEATS**

Leather Seats  
Heated Seats  
3rd Row Seat  
Retractable Seats  
Captain Chairs (4)

**WHEELS**

Aluminum/Alloy Wheels

**PAINT**

Clear Coat Paint

**OTHER**

Fog Lamps  
Rear Spoiler

**TRUCK**

Power Trunk/Gate Release

**Preliminary Estimate**

**Customer: Arias, Maria**

**Job Number:**

2011 TOYO Sienna XLE FWD w/Auto Access Seat/7-Passenger Seating 4D VAN 6-3.5L Gasoline EFI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		<b>FRONT BUMPER</b>					
2	*	Rpr Bumper cover w/o park sensors Note: TIME ADDED CUSTOM PAINT				4.0	4.0
3		Add for Clear Coat					1.6
4		O/H bumper assy				2.2	
<b>SUBTOTALS</b>					<b>0.00</b>	<b>6.2</b>	<b>5.6</b>

**ESTIMATE TOTALS**

Category	Basis	Rate	Cost \$
Parts			0.00
Body Labor	6.2 hrs @	\$ 60.00 /hr	372.00
Paint Labor	5.6 hrs @	\$ 60.00 /hr	336.00
Paint Supplies	5.6 hrs @	\$ 40.00 /hr	224.00
Subtotal			932.00
Sales Tax	\$ 932.00 @	5.6000 %	52.19
<b>Grand Total</b>			<b>984.19</b>
Deductible			0.00
<b>CUSTOMER PAY</b>			<b>0.00</b>
<b>INSURANCE PAY</b>			<b>984.19</b>

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

## Preliminary Estimate

**Customer: Arias, Maria**

**Job Number:**

2011 TOYO Sienna XLE FWD w/Auto Access Seat/7-Passenger Seating 4D VAN 6-3.5L Gasoline EFI

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARM8531, CCC Data Date 05/09/2019, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2019 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.



B R A E G E R  
4100 S. 27TH STREET  
MILWAUKEE, WI 53221  
PHONE: (414) 281-0454 FAX: (414) 921-9720  
TIN 39-0394520

\*\*\* PRELIMINARY ESTIMATE \*\*\*

05/14/2019 11:19 AM

**Inspection**

**Inspection Date:** 05/14/2019 11:19 AM  
**Primary Impact:** Front

**Inspection Type:**  
**Secondary Impact:**

**Repairer**

**Repairer:** 27th Street Auto Body  
**Address:** 4100 S. 27th Street

**City State Zip:** Milwaukee, WI 53221  
**Email:** cmiller@braeger.com

**Contact:**  
**Work/Day:** (414)281-0454  
**Home/Evening:** (414)281-5000x3322  
**FAX:** (414)921-9720

**Target Complete Date/Time:**

**Days To Repair:** 2

**Remarks**

ESTIMATE IS BASED ON VISIBLE DAMAGE ONLY-ADDITIONAL DAMAGE MAY BE PRESENT  
PARTS PRICES ARE SUBJECT TO INVOICE  
Open item on paint formula. Not factory paint

**Vehicle**

2011 Toyota Sienna XLE 4 DR Passenger Van  
6cyl Gasoline 3.5  
6-Speed Automatic

**Lic.Plate:** 634-VPX  
**Lic Expire:**  
**Veh Insp# :**  
**Condition:**  
**Ext. Refinish:** Two-Stage

**Lic State:** WI  
**VIN:** 5TDYK3DC8BS128070  
**Mileage Type:** Actual  
**Code:** Y6143C  
**Int. Refinish:** Two-Stage

**Options**

1st Row LCD Monitor(s)	8 Passenger Seating	AM/FM CD Player
Alarm System	Aluminum/Alloy Wheels	Anti-Lock Brakes
Auto Headlamp Control	Automatic Dimming Mirror	Auxiliary Audio Input
Bucket Seats	Center Console	Cruise Control
Daytime Running Lights	Driver Knee Airbag	Dual Air Conditioning
Dual Airbags	Dual Power Seats	Dual Power Sliding Doors
Dual Zone Auto A/C	Garage Door Opener	Halogen Headlights
Head Airbags	Heated Front Seats	Heated Power Mirrors
Heated W/S Wiper Washers	Illuminated Visor Mirror	Intermittent Wipers
Keyless Entry System	LED Brakelights	Leather Seats
Leather Shift Knob	Leather Steering Wheel	Lighted Entry System
MP3 Decoder	Overhead Console	Power Brakes
Power Door Locks	Power Liftgate	Power Moonroof
Power Steering	Power Windows	Pwr Driver Lumbar Supp

Rear Heater	Rear Seat Audio Controls	Rear Spoiler
Rear Step Bumper	Rear View Camera	Rear Window Defroster
Rear Window Wiper/Washer	Rem Trunk-L/Gate Release	Reverse Sensing System
Roof/Luggage Rack	Secnd Row Captain Chairs	Side Airbags
Split Folding Rear Seat	Stability Cntrl Suspensn	Strg Wheel Radio Control
Tachometer	Telescopic Steering Whl	Theft Deterrent System
Third Seat (trucks)	Tilt Steering Wheel	Tinted Glass
Traction Control System	Trip Computer	Wireless Audio Streaming
Wireless Phone Connect	Wood Interior Trim	XM Satellite Radio

**Damages**

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
<b>Front Bumper</b>										
1	E	6		Cover,Front Bumper	5211908904	\$310.60			1.6	SM
2	L	6	13	Cover,Front Bumper	Refinish				3.8	RF
					2.7 Surface					
					0.6 Two-stage setup					
					0.5 Two-stage					

**Manual Entries**

3	SB			HAZARD. WSTE. REM.	Sublet Repair	\$3.00*				SM
3	Items									

MC	Message
13	INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

**Estimate Total & Entries**

<b>Gross Parts</b>				\$310.60	
<b>Paint &amp; Materials</b>	3.8 Hours @	\$40.00		\$152.00	
<b>Parts &amp; Material Total</b>					\$462.60
<b>Tax on Parts &amp; Material</b>	@	5.600%			\$25.91
<b>Labor</b>	<b>Rate</b>	<b>Replace Hrs</b>	<b>Repair Hrs</b>	<b>Total Hrs</b>	
Sheet Metal (SM)	\$60.00	1.6		1.6	\$96.00
Mech/Elec (ME)	\$120.00				
Frame (FR)	\$60.00				
Refinish (RF)	\$60.00	3.8		3.8	\$228.00
<b>Labor Total</b>				5.4 Hours	\$324.00
<b>Tax on Labor</b>		@	5.600%		\$18.14
<b>Sublet Repairs</b>					\$3.00
<b>Tax on Sublet</b>		@	5.600%		\$0.17
<b>Gross Total</b>					\$833.82
<b>Net Total</b>					\$833.82

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53221 Audatex Host  
 Rate Name Default

Audatex Estimating 8.0.555 ES 05/14/2019 11:20 AM REL 8.0.555 DT 04/01/2019 DB 05/08/2019  
© 2019 Audatex North America, Inc.

1.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THESE PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE BUT SHALL NOT EXCEED: (1) ANY PRICE LIMITED ESTIMATE; OR (2) ANY PARTS OR LABOR ESTIMATE BY MORE THAN 10%. ADDITIONAL REPAIRS MAY NOT BE PERFORMED WITHOUT YOUR CONSENT.

YOU MAY WAIVE YOUR RIGHT TO NOTIFICATION, WHICH GIVES THE COLLISION REPAIR FACILITY THE RIGHT TO SET THE PRICE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR SELECTION.

(A) I REQUEST AN ESTIMATE IN WRITING BEFORE YOU BEGIN REPAIRS.

SIGNATURE .....

(B) PLEASE PROCEED WITH REPAIRS BUT CALL ME FOR APPROVAL BEFORE CONTINUING IF THE PRICE EXCEEDS \$.....

SIGNATURE .....

(C) I DO NOT WANT AN ESTIMATE AND YOU MAY SET THE PRICE OF REPAIRS.

SIGNATURE .....

DATE..... TIME.....

THIS ESTIMATED PRICE FOR AUTHORIZED REPAIRS WILL BE HONORED IF THE MOTOR VEHICLE IS DELIVERED TO THE FACILITY WITHIN THE TIME PERIOD AGREED TO BY THE CONSUMER AND THE COLLISION REPAIR FACILITY.

ILLINOIS LAW REQUIRES THAT VEHICLE REPAIRERS MUST BE LICENSED IN ACCORDANCE WITH SECTION 5-301 OF THE ILLINOIS VEHICLE CODE.

Op Codes

- |                            |   |                                |
|----------------------------|---|--------------------------------|
| * = User-Entered Value     | ^ = Labor Matches System Assigned Rates | E = Replace OEM                |
| NG = Replace NAGS          | EC = Replace Economy                    | OE = Replace PXN OE Srpls      |
| UE = Replace OE Surplus    | ET = Partial Replace Labor              | EP = Replace PXN               |
| EU = Replace Recycled      | TE = Partial Replace Price              | PM = Replace PXN Reman/Rebld   |
| UM = Replace Reman/Rebuilt | L = Refinish                            | PC = Replace PXN Reconditioned |
| UC = Replace Reconditioned | TT = Two-Tone                           | SB = Sublet Repair             |
| N = Additional Labor       | BR = Blend Refinish                     | I = Repair                     |
| IT = Partial Repair        | CG = Chipguard                          | RI = R & I Assembly            |
| P = Check                  | AA = Appearance Allowance               | RP = Related Prior Damage      |