

**CITY OF MILWAUKEE**

**SETTLEMENT DRAFT REQUEST**

**Uninsured Motorist Claim Under Sec. 62.67 Stats.**

**CASE NAME:** Benjamin Smith                      **DATE OF LOSS:** November 8, 2006

**C.I. FILE NO:** 06-L-99                              **CC FILE NO:** 0095-0700625

**AMOUNT REQUESTED:** \$25,000.00

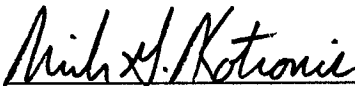
**PAYABLE TO:** Benjamin Smith and Cermele and Associates, S.C. – Trust Account

**REASON FOR REQUEST:**

Benjamin Smith, City of Milwaukee Police Officer, was in the scope of his employment and a passenger in a City of Milwaukee police vehicle that was northbound on North Holton Street. After the City vehicle stopped in traffic, waiting to make a left turn onto East Locust Street, the uninsured motorist, who was also travelling northbound on North Holton Street, failed to yield the right away, and rear-ended the police vehicle causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to § 62.67 Stats., and the City of Milwaukee's Uninsured Motorist Self-Insurance plan.

Officer Smith sustained injuries to his head, neck, back and arms. The treating physician has indicated that the back injury is permanent. The claimed medical expenses and lost wages total \$35,161.00.

**DATED: 06/07/10**

**BY:**   
Nick G. Kotsonis  
Crivello Carlson, S.C.