

City of Milwaukee

Office of the City Attorney

200 E. Wells St.

CITY OF MILWAUKEE

2019 AUG -6 P 4:42

CITY CLERK'S OFFICE

RECEIVED  
OFFICE OF CITY ATTORNEY

AUG 7 - 2019

12:45 AM/PM

RE: C.I. File No. 1029-2019-1032

To whom it may concern:

Please be advised that I wish to appeal the decision of your Office to deny my claim for damages from the incident that occurred on 4-6-19 at 105 N. Water. I request a hearing in this matter and enclose a copy of the postmarked envelope with the date of July 11, 2019.

Thank you.

MaryAlice Quigley

3706 S. 71<sup>st</sup> Street

Milwaukee WI 53220

3706 S. 71st St.  
MILWAUKEE WI 53220

U.S. POSTAGE PAID  
FCM LETTER  
MILWAUKEE, WI  
53207  
JUL 31, 19  
AMOUNT

**\$0.55**

R2303S102712-92



53202



1000

CITY OF MILWAUKEE

2019 AUG -6 P 4:42

MILWAUKEE CITY CLERK  
200 E. WELLS ST. Rm 205  
MILWAUKEE WI 53202

JUL 31 2019



53202-357099

Claim against the City of Milwaukee

May 16, 2019

CITY OF MILWAUKEE  
2019 MAY 20 A 8:58

Claimant: Mary Alice Quigley

Claimant Address: 3706 S. 71<sup>st</sup> Street

Milwaukee WI 53220

Claimant Phone: 414-327-4635 (Home) 414-429-0255 (Cellular)

Claimant email address: [excugoaway@yahoo.com](mailto:excugoaway@yahoo.com)

Relief sought (monetary damages): \$250.00 (Out of pocket deductible from \$1400.72 repair bill)

Proof of the amount of claim: See attached itemized receipt

Circumstances of claim/detailed description of incident:

RECEIVED  
OFFICE OF CITY ATTORNEY

Date of Incident: April 6, 2019

MAY 20 2019

Time of Incident: 1:30PM

11:30 A.M./P.M.

Location of Incident: 105 N. Water Street

Cause of Incident: Negligence: unfinished road construction pothole(see attached photos)

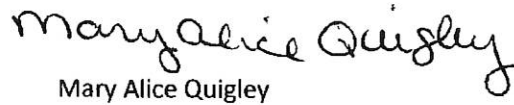
On April 6, 2019 at 1:30PM I was driving my 2007 Hyundai Elantra. I have a valid WI driver's license and I and the two other occupants of my vehicle were properly seat belted. We were returning from an appointment in the Third Ward. I had just turned southbound onto N. Water Street from westbound on E. Erie Street. There is a large pothole in the southbound lanes of N. Water St. between E. Erie and the old fire station at 105 N. Water Street. (See full description below and attached photos.) Due to heavy traffic I could not swerve far enough to avoid the large pothole without hitting another vehicle and the right rear of my vehicle hit the pothole. In addition to feeling a violent jarring sensation, we immediately heard a loud snap. It immediately became difficult to steer my vehicle and I was barely able to continue southbound over the bridge and pull to the side of the road just north of E. Seeboth Street. The car was no longer drivable; the right rear wheel was tilted in at an angle. We were forced to have the car towed and ultimately file a claim with our insurance company, Geico, due to the expense of the repairs involved.

As you can see in the photos taken shortly after the incident, the pothole is large and deep. What is more unsettling is that there are obvious, visible cut lines around the pothole. At some point in the past the City of Milwaukee began construction to fix this problem, then abandoned it, possibly weakening the surrounding pavement and making the problem worse. There were no cones, barricades or any other warning devices to alert drivers to this abandoned road construction hazard. To say the City did not know about the problem would be inaccurate as there is obvious evidence that repairs were at least started. This negligence is a direct cause of the entire incident.

The repair expenses were considerable, as you can see from the attached itemized receipt. As we were forced to file a claim with our insurance, this will eventually affect our rates. However at this time we cannot calculate future costs and the actual out of pocket expense we incurred was \$250.00. This is the amount we are seeking in this claim.

This satisfies the requirements established in the City of Milwaukee Instructions for Filing a Claim and State Statute 893.80. I look forward to having this matter resolved. Thank you.

Signature of Claimant:

  
Mary Alice Quigley

**DAVE'S GARAGE, INC.**  
 5454 West Forest Home Avenue  
 Greenfield, WI. 53220  
 Phone: 414-321-5450 Fax: 414-321-2284

INVOICE  
**75368**  
 Org. Est. # 096563

Quality Service By Certified Technicians

**INVOICE**

Print Date : 05/01/2019

**QUIGLEY, PHIL**  
 3706 SOUTH 71 STREET  
 MILWAUKEE, WI 53220  
 Home: 414-327-4635  
 Cust ID : 11833

2007 Hyundai - Elantra SE - 2L, In-Line4 (121CI) VIN(D)  
 Lic # : 515WXP - WI Odometer In : 162,914  
 Unit # : Odometer Out :  
 VIN # : KMHDU46D7 7U100764

Part Description / Number	Qty	Sale	Extd	Labor / Description	Extd
MEG FLUX	1.00	45.00	45.00	ALIGNMENT	89.95
MEGNA FLUX				ALIGNED SUSPENSION	
RT. KNEE ASSY -	1.00	156.25	156.25	RT. SPINDLE FOUND BENT WIHEN ALIGNING - WAS	187.00
KNEE ASSY				USED ON (GEICO FOUND TO BE USED)	
CROSS MEMBER-U	1.00	125.00	125.00	REPLACED RT. SPINDLE SECOND TIME	
CROSSMEMBER				CLAIM #0344984910101054-1 POLICY#4126600701	250.00
SPEED SENSOR	1.00	85.24	85.24	DEDUCTIBLE REF#034498491 844-410-6725	
10058				REAR SUSPENSION DAMAGE - HIT LARGE	638.00
				POTHOLE	
				REPLACED REAR CROSSMEMBER & RT. KNEE ASSEMBLY,	
				R&I LEFT SUSPENSION & REAR WHEELS	

YOU ARE ENTITLED TO A PRICE ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE REPAIR PRICE MAY BE LESS THAN THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR PERMISSION. YOUR SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

- I request an estimate in writing before you begin repairs
- Please proceed with repairs, but call me before continuing if the price will exceed \$ MAY 02 2019
- I do not want an estimate.

Payment will be made by  Cash  Check  Credit  Credit Card

*VISA*  
*CK. 823.64*  
*CK 327.08*  
*deductible - 250.00*

Labor:	914.95
Parts:	411.49
Sublet:	0.00
Sub:	1,326.44
Tax:	74.28
Total:	1,400.72
Bal Due:	\$1,400.72

[ Payments - ]

[ Technicians : R, Eric ]

Do you want the replaced parts you are entitled to?  Yes  No

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

This vehicle received without face to face contact.

Shop Representative \_\_\_\_\_

Having authority to do so I hereby order the above products and services, parts, and labor and grant permission to you and/or your employees to operate the vehicle described for the purpose of testing and/or inspection. I agree to pay cash when the work is completed or to pay on the other terms satisfactory to you. Until paid in full, the amount owing on this work shall constitute a lien on the motor vehicle. If collection is made by suit or otherwise, I agree to pay storage and collection and reasonable attorney's fees.

Customer Sign: \_\_\_\_\_

Date: \_\_\_\_\_











1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100  
A GOOD CORPORATION 1988 100% A.S.P. INC.  
MILWAUKEE COUNTY BANK DIVISION  
700 W. DREXEL AVENUE WEST MILWAUKEE, WI 53214 414.410.0000

