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February 16, 2007

Attorney Ellen H. Tangen  
Milwaukee City Attorneys Office  
200 East Wells Street, Suite 800  
Milwaukee, WI 53202-3515

Re: Edward Raspor, et al. vs.  
Waukesha Springs Health and Rehabilitation Center, et al.  
Waukesha County Case No. 04-CV-2344

Dear Attorney Tangen:

This is a case about which we have spoken in the past. The plaintiff, Edward Raspor, was admitted to Waukesha Springs Health and Rehabilitation Center, formerly known as The Waters of West Moreland, and due to an alleged failure on the part of the defendant to properly care for the plaintiff, the plaintiff developed bed sores which became severely infected, and he was subsequently hospitalized. These bed sores/ulcers were first detected on July 27, 2002. The plaintiff has since passed away, although my understanding is that he did not die from injuries in connection with the alleged negligence. Wisconsin Physicians Service Insurance Corporation (WPS), as the claims administrator for the City of Milwaukee self-funded health care benefit plan, paid \$206,316.45 for medical treatment which we have alleged resulted from the treatment of the injuries brought about the alleged negligence.

Plaintiff's counsel, Attorney Tim Rymer, has contacted me to advise that the allegedly negligent entity in this matter, the nursing home, has gone out of business and there are essentially no assets available pursuant to his CPA's review of their records. In addition to WPS, the U.S. Attorney's office maintains a lien on behalf of Medicare and Waukesha County also has a lien. Mr. Rymer further indicated that he has approximately \$10,000 in costs which have been expended in the prosecution of this matter. In order to resolve the matter, the defendants have agreed to pay Mr. Rymer \$22,500 as a total recovery in this matter. Mr. Rymer has offered to divide that \$22,500 as follows:

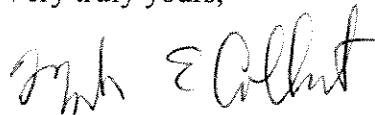
Gendlin & Liverman, S.C. Costs	\$ 6,736.18
McNally & Assoc Costs	\$ 2,830.82
Attorney Fees	\$ 2,500.00
Medicare	\$ 412.52
WPS	\$ 7,338.03
Waukesha County	\$ 182.45
Net Balance to Beverly Raspor	\$ 2,500.00
Total:	\$22,500.00

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Based upon the above, as well as upon the potential argument that the Estate of Edward Raspor has not been made whole by this meager settlement, I would recommend that the City of Milwaukee accept the plaintiff's offer of \$7,338.03 to resolve its subrogation claim. I would appreciate it if you would route this request through the appropriate channels so that we may be granted authority to resolve the subrogation interest accordingly.

I will look forward to hearing from you.

Very truly yours,

A handwritten signature in black ink, appearing to read "ME Colbert", written in a cursive style.

Mark E. Colbert  
Attorney

MEC:lln