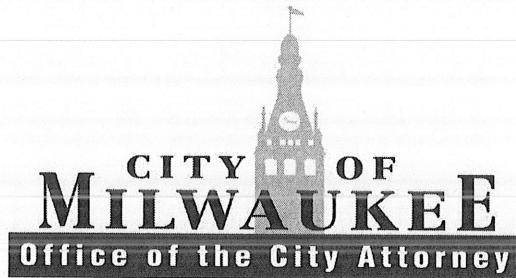


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March 5, 2024

To the Honorable Common Council  
of the City of Milwaukee  
Room 205 – City Hall

Re: Communication from Penn National Insurance on behalf of Dylan Good  
Afni File No. 2938580  
Penn National File No. 1512806  
C.I. File No. 1068-2023-221

Dear Sir or Madam:

Afni Insurance Services representative of Penn National Insurance submitted a subrogation demand on behalf of their insured Dylan Good, for damages sustained to their insured's vehicle on October 17, 2022, allegedly when a city tree limb fell on it located at or near 1759 N. Marshall Street. Afni Insurance Services and Penn National Insurance is seeking reimbursement for damages in the amount of \$11,016.22.

On October 17, 2022, the Forestry Section reported they responded to a call regarding a downed tree at 1756 N. Marshall Street, and noted that the tree branches were removed from the claimant's vehicle prior to the crew's arrival. The branches were removed. Forestry further reported that the subject tree was an 11" Norway maple and was in good health. The broken branch was alive and there was no evidence of decay at the point of failure.

The City of Milwaukee experienced a storm event on 10/17/2022 and 10/18/2022, with sustained winds of 29 MPH and peak wind gusts of 41 MPH as reported at General Mitchell International. Due to extensive damage caused to the tree by the storm event, the tree documented for removal on 10/19/22.

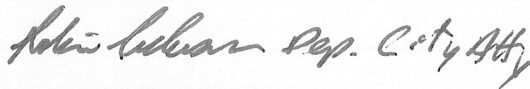


To the Honorable Common Council  
of the City of Milwaukee  
March 5, 2024  
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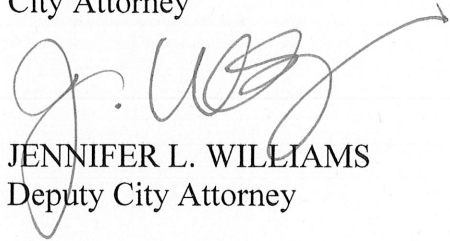
Further review of the maintenance history dating back to October 2012 indicated there were no other calls reported and there were no records that identified the removal of the tree prior to the storm event.

It is our position that the City is not liable for damages, and we recommend that the claim be denied.

Very truly yours,

Handwritten signature of Tearmen Spencer, City Attorney.

TEARMAN SPENCER  
City Attorney

Handwritten signature of Jennifer L. Williams, Deputy City Attorney.

JENNIFER L. WILLIAMS  
Deputy City Attorney

TS/JLW/MTG/cdr

Enclosure

1068-2023-221/290034