



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR

Ald. Terry Witkowski, Vice-Chair

**Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert
Donovan**

Staff Assistant, Linda Elmer, 286-2232

Fax: 286-3456, lelmer@milwaukee.gov

**Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov**

Monday, January 10, 2011

1:30 PM

Room 301-B, City Hall

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, January 10, 2011 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.

1:45 P.M.

1. [100809](#) Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

Sponsors: THE CHAIR

Attachments: [Application](#)
[Health Dept](#)
[Dept of City Development](#)
[Treasurer's Office - Updated 12/28/10](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)

2. [091531](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
- Sponsors: THE CHAIR
- Attachments: [Expenditures through January 5](#)
 [Expenditures through November 10](#)
 [Expenditures through September 30](#)
 [Expenditures Through July 13](#)
 [Outside Counsel Expenses Relating to the Frank Jude Case](#)
 [Expenditures Through June 3](#)
 [Expenditures through April 22](#)
 [Expenditures Through March 30](#)
 [Outside Counsel - March 15](#)
 [Outside Counsel - March 3](#)
 [Cover letter transmitting 2010 expenditures](#)
 [Hearing Notice List](#)
3. [101097](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.
- Sponsors: THE CHAIR
- Attachments: [Cover Letter](#)
 [Spreadsheet.xls](#)
 [Claim Forms.pdf](#)
 [Hearing Notice List](#)
4. [101046](#) Resolution to settle the claim of Cermele & Associates for defense of Police Officers Timothy Bandt and John Rodriguez.
- Sponsors: THE CHAIR
- Attachments: [Fiscal Impact Statement.pdf](#)
 [Cover Letter](#)
 [Claim.pdf](#)
 [Hearing Notice List](#)
5. [101056](#) Resolution relating to an appeal from Jerome Huiras for property damage. (12th Aldermanic District)
- Sponsors: THE CHAIR
- Attachments: [City Attorney Letter](#)
 [Appeal](#)
 [Hearing Notice List](#)
- \$1,391.59

6. [101036](#) Resolution relating to the claim of Jameliah Trammell for property damage. (1st Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
--\$6,629.08
7. [100836](#) Resolution relating to the claim of Susan Fink for personal injuries.
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
--\$7,046.34
8. [101037](#) Resolution relating to the claim of Carl Peterson for property damage.
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
--\$12,967.64
9. [101019](#) Resolution relating to the claim of Clemon Thames for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
--\$6,400.00
10. [101018](#) Resolution relating to the claim of Diane Williams for property damage. (6th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
--\$5,537.81

11. [101117](#) Resolution relative to legislative bills.
Sponsors: THE CHAIR
Attachments: [Agenda.doc](#)
---Update on upcoming Special Session.
12. [101134](#) Reappointment of Paul Vornholt to serve as the Legislative Liaison Director by the Mayor.
Sponsors: THE CHAIR
Attachments: [Appointment Letter](#)

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 100809 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, Health Dept, Dept of City Development, Treasurer's Office - Updated 12/28/10, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/13/2010	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
12/21/2010	1	COMMON COUNCIL	ASSIGNED TO	Pass	15:0
1/4/2011	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100809

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2037 N. 33rd St., previously owned by Rochelle Wells on behalf of Magen Wells, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100809; and

Whereas, Rochelle Wells on behalf of Magen Wells would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Rochelle Wells on behalf of Magen Wells has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2037 N. 33rd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 719, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

11/8/10

WAYNE F. WHITTOW
City Treasurer



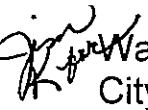
James L. Hanna
Deputy City Treasurer

James F. Klajbor
Special Deputy City Treasurer

OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

October 25, 2010

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 349-0355-100-5
Address: 2037 2037 N 33RD ST
Applicant/Requester: MAGEN WELLS,
C/O ROCHELLE WELLS, POA
2010-01 Inrem File
Parcel: 719
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2037 N. 33rd St.
TAXKEY NUMBER 349-0355-100-5
NAME OF APPLICANT Magen Wells / Rochelle Wells POA
MAILING ADDRESS 2619 N 29th St 53216
414-873-1108
CITY _____ STATE _____ ZIP CODE _____ TELEPHONE NUMBER _____

B. FORMER OWNER YES X NO _____

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO _____

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES _____ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE

Rochelle Wells

DATE

10-22-2010



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Magen Wells / Rochelle Wells
POA

Tax Account No.: 349-0355-100-5

Property Address: 2037 W 33rd St

Cash \$ _____ Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: _____

Current Collection Tax Payment ☐ Vocated Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: [Signature]

Date: 10/25/10

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date: 10/25/2010

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01
Taxkey Number: 349-0355-100 - 5
Property Address: 2037 2037 N 33RD ST
Applicant: MAGEN WELLS
C/O ROCHELLE WELLS, POA

Parcel Number: 719
CaseNumber: 10CV005385

From: Binder, Rosemary
Sent: Wednesday, October 27, 2010 4:37 PM
To: Elmer, Linda
Subject: RE: The in-rem deadline approacheth...
[The lead program has nothing on any of these. Have a great night.](#)

Rose Binder
Office Assist. III
City of Milwaukee Health Department
Ziedler Municipal Building 1st Fl
841 N Broadway
Milwaukee, WI 53202
phone: 414-286-0387
fax: 414-286-0715
WWW.Milwaukee.gov/health

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

From: Elmer, Linda
Sent: Wednesday, October 27, 2010 9:05 AM
To: Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: The in-rem deadline approacheth...

much like Halloween (and with the same amount of fear on my part!)



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

November 1, 2010

Ms. Linda Elmer, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100809
2037 North 33rd Street

The Department of City Development reports that the tax foreclosed property located at 2037 North 33rd Street, Tax Key No. 349-0355-100-5, is not suitable for use by a public agency or community based organization. Although the property is in the 30th Street Corridor, the house is not needed for implantation of the plan.

This residential structure is vacant. Administrative costs incurred by our Department total \$667.11.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service
M. Crump, City Attorney's Office

December 28, 2010

To: Milwaukee Common Council
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer
Office of the City Treasurer

Re: 100809 Reopening and Vacating InRem Judgment
Tax Key No.: 349-0355-100-5
Address: 2037 N 33RD ST
Applicant/Requester: MAGEN WELLS
C/O ROCHELLE WELLS, POA
2010-01 in rem, Parcel: 719
Case: 10CV005385, Acquired: 7/26/2010

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID IN FEB
2007-2010**	\$7,626.59	**\$8,636.62
Interest	\$1,743.67	\$1,828.70
Penalty	\$871.85	\$914.35
TOTAL*	\$10,242.11	\$11,379.67

***The above figures may change prior to payment due to possible additional costs.**

**** If paid in February, the 2010 taxes must also be paid.**

WFW/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 100809
Address 2037 N 33rd St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department has no objection to the return of the property, provided the applicant pays \$675.00 for pending Recording Enforcement Fees. If the Common Council approves the return of the property, a Property Recording application will need to be filed at that time.

Sincerely,

Lynne Steffen
Business Operations Manager

NOTICES SENT TO FOR FILE 100809:

[illegible]



Legislation Details (With Text)

File #: 091531 **Version:** 0

Type: Communication **Status:** In Committee

File created: 3/2/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Indexes: CITY ATTORNEY, CONSULTANTS, REPORTS AND STUDIES

Attachments: Expenditures through January 5, Expenditures through November 10, Expenditures through September 30, Expenditures Through July 13, Outside Counsel Expenses Relating to the Frank Jude Case, Expenditures Through June 3, Expenditures through April 22, Expenditures Through March 30, Outside Counsel - March 15, Outside Counsel - March 3, Cover letter transmitting 2010 expenditures, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/6/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
4/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/26/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
6/2/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/7/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
7/13/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
7/19/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/23/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/23/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/23/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/4/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	0	JUDICIARY & LEGISLATION	HELD TO CALL OF THE CHAIR	Pass	5:0

1/4/2011	0	COMMITTEE JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT
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Number

091531

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Requestor

Drafter

CC-CC

lme

3/4/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

January 5, 2011

Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2010 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,



GRANT F. LANGLEY
City Attorney

GFL:bgw
#164969

2010 OUTSIDE COUNSEL/EXPERT EXPENDITURES

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	2,289.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,767.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	2,010.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,443.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,779.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,785.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,953.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,671.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,938.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	2,483.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,109.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	565.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,854.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,458.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,821.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,770.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,893.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,578.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	2,061.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	2,172.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,869.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	1,764.00	BLOCK, PETER	JUDE V. CITY	2010
634005	1490	S157	2,106.00	BLOCK, PETER	JUDE V. CITY	2010
			41,138.00	TOTAL		
634005	1490	S157	174.00	CRIVELLO CARLSON	SWANSON V. LENAS FOOD MARKET	2010
			174.00	TOTAL		
634005	1490	S157	14.57	FOLEY & LARDNER	KAYE V. CITY	2010
634005	1490	S157	207.50	FOLEY & LARDNER	KAYE V. CITY	2010
			222.07	TOTAL		

2010 OUTSIDE COUNSEL/EXPERT EXPENDITURES

Account	Dept	Class	Amount	ShortName	Desc	Year
634005	1490	S157	1,114.44	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	19,669.47	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	213.80	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	105.00	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	377.10	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	160.10	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	892.50	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	457.28	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	6,757.19	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	2,010.31	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	393.50	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	130.00	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	63.86	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	23,756.80	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	4,103.11	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	-4,103.11	FRIEBERT & FINERTY	MPSO v. CITY	2010
634005	1490	S157	-23,756.80	FRIEBERT & FINERTY	MPSO v. CITY	2010
			32,344.55	TOTAL		
634005	1490	S157	1,450.00	GRZESK LAW GROUP	KHUBBAR, MANJEET	2010
634005	1490	S157	47.50	GRZESK LAW GROUP	KHUBBAR, MANJEET	2010
634005	1490	S157	2,100.00	GRZESK LAW GROUP	CADAH, DIAB	2010
634005	1490	S157	358.80	GRZESK LAW GROUP	CADAH, DIAB	2010
634005	1490	S157	26.50	GRZESK LAW GROUP	KHUBBAR, MANJEET	2010
634005	1490	S157	53.12	GRZESK LAW GROUP	CADAH, DIAB	2010
			4,035.92	TOTAL		
634005	1490	S157	3,723.25	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	9,783.25	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	4,909.25	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	7,318.93	GUNTA REAK	JUDE v. CITY	2010

2010 OUTSIDE COUNSEL/EXPERT EXPENDITURES

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	1,906.87	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	4,935.75	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	6,177.25	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	1,362.86	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	1,300.89	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	14,143.42	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	38.73	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	13,209.40	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	4,105.65	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	1,745.50	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	702.50	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	6,118.65	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	4,151.55	GUNTA REAK	JUDE v. CITY (BELMORE)	2010
634005	1490	S157	257.00	GUNTA REAK	Jacoby v. Dudley	2010
634005	1490	S157	6,779.07	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	9,733.25	GUNTA REAK	JUDE v. CITY	2010
634005	1490	S157	3,228.14	GUNTA REAK	JACOBY v. DUDLEY	2010
634005	1490	S157	1,206.39	GUNTA REAK	JACOBY v. DUDLEY	2010
634005	1490	S157	-3,228.14	GUNTA REAK	JACOBY v. DUDLEY	2010
634005	1490	S157	-1,206.39	GUNTA REAK	JACOBY v. DUDLEY	2010
634005	1490	S157	2,662.25	GUNTA REAK	JUDE v. CITY	2010
			105,065.27	TOTAL		
634005	1490	S157	2,028.10	HAYES, THOMAS	OUTSIDE CONSULTANT	2010
634005	1490	S157	3,046.60	HAYES, THOMAS	OUTSIDE CONSULTANT	2010
634005	1490	S157	2,669.75	HAYES, THOMAS	OUTSIDE CONSULTANT	2010
			7,744.45	TOTAL		
634005	1490	S157	9,672.64	KEARNY, ANNE	POST 2874, VFW v. RACM Appeal	2010
			9,672.64	TOTAL		
634005	1490	S157	7,057.00	MICHAEL, BEST	BOZA Appeals Case No. 28710	2010

2010 OUTSIDE COUNSEL/EXPERT EXPENDITURES

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	125.00	MILLER VAN EATON	TELCOMM ADVICE	2010
			125.00 TOTAL			
634005	1490	S157	616.00	PYZYCK, ROGER	SPECIAL PROSECUTOR	2010
			616.00 TOTAL			
634005	1490	S157	-2,500.00	RAIN ENGI-001	AIM TRANSFER V COM - EXPERT	2010
634005	1490	S157	1,250.00	RAIN ENGI-001	AIM TRANSFER & STORAGE V COM	2010
634005	1490	S157	2,500.00	RAIN ENGI-001	AIM TRANSFER V COM - EXPERT	2010
			1,250.00 RAIN ENGI-001 Total			
634005	1490	S157	23,152.50	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
634005	1490	S157	22,977.50	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
634005	1490	S157	41,860.00	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
634005	1490	S157	1,010.00	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
634005	1490	S157	5,202.50	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
634005	1490	S157	1,925.00	SEIBEL LAW GROUP	U.S. Oil v. City Appeal	2010
			96,127.50 TOTAL			
			305,808.65 GRAND TOTAL			

January 5, 2011

NOTICES SENT TO FOR FILE 091531:

[illegible]



Legislation Details (With Text)

File #: 101097 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Indexes: TAX CANCELLATIONS

Attachments: Cover Letter, Spreadsheet.pdf, Claim Forms.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101097
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

Analysis

This resolution requires the cancellation of taxes because of Board of Review reductions in assessments on certain parcels, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.

Body

Whereas, Assessments were made against certain parcels of real estate for the year 2009 as contained in Common Council Resolution File No. 101097; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account

006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

Requestor

Assessor's Office

Drafter

mpr/kat

12/15/2010

December 15, 2010

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

Reductions have been made in the assessments of these properties by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

mpr/kat

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
2009						
249-0871-000-9 5501 W. Fond du Lac Av. May 18, 2009	Inland Western Milwaukee Midtown	\$ 712,000	\$ 18,500.46	\$ 955.22	\$ 269.42	\$ 1,224.64
249-0874-000-5 5610 W. Capitol Dr. May 18, 2009	Inland Western Milwaukee Midtown	\$ 44,000	\$ 1,143.28	\$ 59.04	\$ 16.64	\$ 75.68
249-0875-000-0 5704-12 W. Capitol Dr. May 18, 2009	Inland Western Milwaukee Midtown	\$ 868,000	\$ 22,553.95	\$ 1,164.51	\$ 328.45	\$ 1,492.96
393-0602-000-9 535 E. Wells St. May 14, 2009	Cathedral Place LLC	\$ 74,000	\$ 1,922.81	\$ 99.27	\$ 28.01	\$ 127.28
		\$ 1,698,000	\$ 44,120.50	\$ 2,278.04	\$ 642.52	\$ 2,920.56
TOTAL GROSS	\$ 47,041.06					

Assessor's Office
December 15, 2010
mpr/kat

midtown
center
#36090

RECEIVED
SCANNED
2010 NOV -8 AM 11:18

ASSESSOR'S OFFICE
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **249-0871-000-9**
5501 W. Fond du Lac Av.
Inland Western Milwaukee Midtown

Year: 2009

Amount of Assessment Reduction: \$712,000

Amount of Tax Reduction: \$18,500.46

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Wendy Ann Oppliger agent

Date: 11-1-10

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

SCANNED

RECEIVED

midtown
cent
360
ALL

2010 NOV -8 AM 11:18

ASSESSOR'S OFFICE
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **249-0874-000-5**
5610 W. Capitol Dr.
Inland Western Milwaukee Midtown

Year: 2009

Amount of Assessment Reduction: \$44,000

Amount of Tax Reduction: \$1,143.28

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Wm. Dennis Oplins as agent

Date: 11-1-10

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

SCANNED

2010 NOV -8 AM 11:18

ASSESSOR'S OFFICE
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **249-0875-000-0**
5704-12 W. Capitol Dr.
Inland Western Milwaukee Midtown

Year: 2009

Amount of Assessment Reduction: \$868,000

Amount of Tax Reduction: \$22,553.95

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Wm. Ann Opolmi as agent

Date: 11-1-10

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **393-0602-000-9**
 535 E. Wells St.
 Cathedral Place LLC

Year: 2009

Amount of Assessment Reduction: \$74,000

Amount of Tax Reduction: \$1,922.81

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: *Van Buren Management, Inc. / Manager*
Pauline Adams, Secretary
Date: 11-8-10

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED
2010 NOV 13 AM 1:23
CITY OF MILWAUKEE
COMPTROLLER'S OFFICE

NOTICES SENT TO FOR FILE 101097:

[illegible]



Legislation Details (With Text)

File #: 101046 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to settle the claim of Cermele & Associates for defense of Police Officers Timothy Bandt and John Rodriguez.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Fiscal Impact Statement.pdf, Cover Letter, Claim.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101046

Version

Original

Reference

Title

Resolution to settle the claim of Cermele & Associates for defense of Police Officers Timothy Bandt and John Rodriguez.

Body

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the sum of \$ 10,945.70 payable to Cermele & Associates, 6310 West Bluemound Road, Suite 200, Milwaukee, WI 53213 to reimburse them for legal fees for defense of Police Officers Timothy Bandt and John Rodriguez; and, be it

Further Resolved, That the check for \$ 10,945.70 is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account -636506- Fund No. 0001 - Organization 1490- Program 2631 - Sub Class S118.

Drafter

City Attorney

12/02/10

164083



City of Milwaukee Fiscal Impact Statement

Date December 2, 2010

File Number 101046

☒ **Original**

☐ **Substitute**

Subject Resolution to settle claim of Cermele & Associates for defense of Police Officers Timothy Bandt and John Rodriguez

Submitted By (Name/Title/Dept./Ext.) Jan A. Smokowicz, Assistant City Attorney, City Attorney's Office/8014

- This File**
- ☐ Increases or decreases previously authorized expenditures.
 - ☐ Suspends expenditure authority.
 - ☐ Increases or decreases city services.
 - ☐ Authorizes a department to administer a program affecting the city's fiscal liability.
 - ☐ Requests an amendment to the salary or positions ordinance.
 - ☐ Authorizes borrowing and related debt service.
 - ☐ Authorizes contingent borrowing (authority only).
 - ☐ Authorizes the expenditure of funds not authorized in adopted City Budget.

This Note ☐ Was requested by committee chair

- Charge To**
- ☒ Department Account
 - ☐ Capital Projects Fund
 - ☐ Debt Service
 - ☐ Other (Specify) _____
 - ☐ Contingent Fund
 - ☐ Special Purpose Accounts
 - ☐ Grant & Aid Accounts

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services	Legal	\$10,945.70	
Other			
TOTALS		\$10,945.70	

Form continued on following page.

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

☐ 1-3 Years ☐ 3-5 Years

☐ 1-3 Years ☐ 3-5 Years

☐ 1-3 Years ☐ 3-5 Years

List any costs not included in Sections E and F above.

Assumptions used in arriving at fiscal estimate.

Additional information.

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 30, 2010

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

Re: Communication from Attorney Laurie A. Eggert,
Eggert & Cermele, S.C. for legal fees for Police Officers
Timothy Bandt and John Rodriquez
C.I. File No. 01-L-130

Dear Council Members:

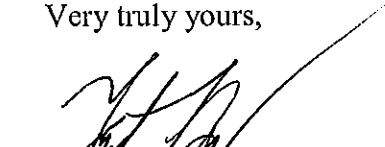
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Timothy Bandt and John Rodriquez. Ms. Eggert recently noted that although certain issues had eventually been resolved regarding this claim, our office had overlooked filing this claim. We recently received information that resolved all of the questions. The claim is in the amount of \$10,945.70 including \$88.70 in disbursements for 98.70 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was upheld by the Commission, however, upon appeal, the Circuit Court for Milwaukee County reversed the decision of the Commission and ordered the officers charges and suspensions to be dismissed.


As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

To the Honorable Common Council
of the City of Milwaukee
November 30, 2010
Page 2

Very truly yours,



GRANT F. TANGLEY
City Attorney



JAN A. SMOKOWICZ
Assistant City Attorney

JAS

Enc.

163477

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

September 5, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

RE: Citizen Complaint of Charlotte and George Donald
Against POs Timothy Bandt and John Rodriguez
Complaint No.: 97-33
Date of Incident: May 2, 1997
ELO No.: 1661

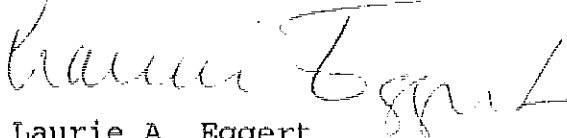
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved officers going to look for a suspect. The circuit court dismissed the charges against the officers. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

LAE/ldl
BANDT

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

September 5, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: Citizen complaint of Charlotte and George Donald
Against POs Timothy Bandt and John Rodriguez
FPC No.: 97-33
Date of Incident: May 2, 1997
Location of Incident: 2420 North 27th Street

Professional services

	<u>Hours</u>
07/02/97 Open file; telephone call to client; correspondence to FPC; review complaint.	0.70
07/08/97 Conference with Rodriguez; correspondence to FPC; memo to file.	0.90
07/09/97 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.70
07/15/97 Telephone call from and to MPD Open Records; correspondence to client.	0.30
07/27/97 Review documents from client; review telephone call from MPD Open records.	0.60
07/30/97 Telephone call to MPD Open Records; memo to file.	0.20

	<u>Hours</u>
09/18/97 Review of file; correspondence to clients.	0.40
09/30/97 Review of documents from clients.	0.10
10/02/97 Review of correspondence from client.	0.10
10/04/97 Review of file.	0.20
11/13/97 Review of file; memo to file.	0.20
02/04/98 Review of file.	0.10
03/04/98 Telephone call from FPC; memo to file.	0.20
06/03/98 Telephone call from Fronk; review of file.	0.20
06/06/98 Review of file; memo to file.	0.30
06/08/98 Review of file; telephone calls to #2 and #4; memo to file; telephone call to Rodriquez.	0.90
06/15/98 Telephone calls to #3 and #4, memo to file.	0.20
06/23/98 Telephone call from FPC; telephone call to #4; telephone call to witness; memo to file; telephone call to Fronk.	0.90
06/24/98 Review of correspondence from FPC; witness and exhibit list.	0.40
07/06/98 Review of correspondence from Department of Justice.	0.10
07/10/98 Telephone call from Fronk.	0.10

	<u>Hours</u>
07/21/98 Review of correspondence from complainant; revise witness and exhibit list.	0.20
07/28/98 Review of file; telephone call to FPC; correspondence to client.	0.60
07/31/98 Telephone call from client.	0.10
08/26/98 Telephone call from Fronk; review of file.	0.10
08/28/98 Telephone call to FPC; review of file.	0.20
08/31/98 Telephone call from Fronk re: dates; memo to file.	0.10
09/29/98 Telephone call from Fronk; review of file.	0.10
10/09/98 Telephone call from FPC.	0.10
10/13/98 Review of correspondence from FPC.	0.10
10/19/98 Telephone call to client; review of file; correspondence to complainants.	1.20
10/23/98 Telephone call from and to client; conference with clients; review of file; memo to file.	1.80
11/02/98 Telephone call from witness; review of file; memo to file.	0.80
11/04/98 Review of correspondence from FPC; hearing preparation.	2.60
11/05/98 Preparation for and appearance at hearing; conference with clients; memo to file; travel.	9.20

	<u>Hours</u>
12/09/98 Telephone call to Fronk re: scheduling.	0.10
01/08/99 Telephone call to FPC; obtain and review proposed decision; travel; telephone call from and to clients; memo to file.	0.80
01/15/99 Review of correspondence from FPC; memo to file.	0.10
Read transcript and notes	3.30
01/22/99 Read notes.	1.60
01/25/99 Read notes; draft brief.	2.80
01/27/99 Draft brief	2.90
02/02/99 Revise brief.	3.20
02/08/99 Conference with client; final edit; correspondence to FPC; correspondence to client.	2.10
02/09/99 Telephone call from Fronk.	0.10
03/03/99 Telephone call from FPC; memo to file.	0.20
03/19/99 Review memo from complainant; correspondence to client.	0.90
03/25/99 Telephone call from and to client.	0.20
05/10/99 Review decision; correspondence to clients; telephone call to clients.	0.60
07/15/99 Correspondence to client.	0.20

	<u>Hours</u>
07/31/99 Conference with client.	0.20
09/10/99 Telephone call from Fronk; memo to file.	0.20
09/23/99 Telephone call to Fronk; conference with client.	0.20
10/01/99 Correspondence to client.	0.20
11/01/99 Conference with client.	0.10
11/17/99 Preparation for Phase 2 hearing.	1.00
11/18/99 Conference with Fronk; conference with client; preparation for and appearance at FPC; memo to file; travel.	3.60
11/19/99 Conference with DeBraska.	0.40
12/06/99 Research.	0.20
12/11/99 Review decision re Phase 2.	0.20
12/13/99 Telephone call to client.	0.10
12/15/99 Telephone call from client; memo to file; prepare appeal documents.	0.60
12/17/99 Telephone call from and to client; telephone call from and to FPC.	0.50
12/23/99 Obtain transcripts from court reporter.	0.10
04/14/00 Review of file.	0.40
04/17/00 Telephone call to Hayes.	0.10

	<u>Hours</u>
05/04/00 Telephone call to Schrimpf.	0.10
05/12/00 Telephone call to Schrimpf; telephone call from city attorney's office.	0.20
05/19/00 Conference with city attorney; review document; review of file; telephone call to city attorney.	0.50
06/13/00 Correspondence to Court.	0.10
06/28/00 Research; review of file.	0.80
07/10/00 Research.	0.30
10/02/00 Review of correspondence from court.	0.10
10/10/00 Review of file; research.	3.30
10/11/00 Research.	1.80
10/12/00 Research; review of file.	1.70
10/13/00 Research.	0.50
10/16/00 Brief; research regarding just cause.	3.30
10/19/00 Research.	1.60
10/20/00 Brief.	1.70
10/28/00 Brief.	6.20
11/01/00 Brief.	6.60
12/08/00 Review brief.	1.80
12/11/00 Research.	2.80

	<u>Hours</u>	
12/15/00 Reply	4.60	
12/18/00 Reply	2.30	
12/19/00 Brief.	0.70	
12/20/00 Reply.	1.60	
12/21/00 Reply.	0.50	
03/26/01 Review decision; telephone call to client; correspondence to client.	0.80	
05/09/01 Telephone call to and from city attorney; memo to file; telephone call to client; obtain and review personnel order; close file.	0.60	
		<u>Amount</u>
For professional services rendered	98.70	\$10,857.00
Additional charges:		
07/09/97 Parking		1.50
06/26/98 Department of Justice - 2 records		26.00
10/20/98 Parking		1.70
11/05/98 Parking		6.00
12/23/99 Transcript		53.50
Total costs		<u>\$88.70</u>
Total amount of this bill		<u>\$10,945.70</u>

Mr. Ronald D. Leonhardt

Page 8

Amount

Balance due

\$10,945.70

(Rate: \$110.00 per hour)

STATE OF WISCONSIN :

CIRCUIT COURT :
CIVIL DIVISION

MILWAUKEE COUNTY

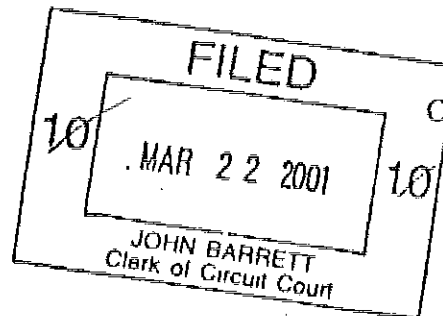
TIMOTHY A. BANDT,

Petitioner,

v.

BOARD OF FIRE AND POLICE
COMMISSIONERS OF THE CITY
OF MILWAUKEE,

Respondent.



Case No. 00-CV-001437

DECISION AND ORDER

INTRODUCTION

Petitioner Timothy A. Bandt ("Bandt") filed a petition pursuant to Sec. 62.50(20), Wis. Stats., seeking review of final decisions by the Respondent Board of Fire and Police Commissioners of the City of Milwaukee ("Board"). The Board, in its May 6, 1999 decision, determined that Bandt violated Milwaukee Police Department ("MPD") Rule 4, Sec. 2/060.00 concerning courtesy and civility toward the public. The Board, in its December 9, 1999 decision, suspended Bandt without pay for five consecutive working days. The Board provided Bandt the option of performing forty hours of community service in lieu of the suspension.

BACKGROUND


Bandt is a police officer for the City of Milwaukee. On the morning of May 2, 1997, Bandt and his partner, John Rodriguez, were given a "suspect card" and asked to pick up Phillip Donald, whose fingerprints had been found at the scene of a burglary. The address provided on the suspect card was 2420 North 27th Street in Milwaukee, Wisconsin. At approximately 7:15 a.m. on May 2, 1997, Bandt and his partner went to the address listed on the "suspect card" and

ORDER

THEREFORE, based upon a thorough review of the record and the arguments of the parties as set forth in their briefs, it is hereby ordered that the Board's decision is REVERSED and the charges are dismissed.

Dated at Milwaukee, Wisconsin this 22nd day of March, 2001.

BY THE COURT:


Timothy G. Dugan
Circuit Court Judge Branch 10

NOTICES SENT TO FOR FILE 101046:

[illegible]



Legislation Details (With Text)

File #: 101056 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Jerome Huiras for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

[Number](#)

101056

[Version](#)

ORIGINAL

[Reference](#)

[Sponsor](#)

THE CHAIR

[Title](#)

Resolution relating to an appeal from Jerome Huiras for property damage. (12th Aldermanic District)

[Drafter](#)

CC-CC

dkf

12/7/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
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THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 9, 2010

Jerome Huiras
4280 South 43rd Street
Greenfield, WI 53220

RE: Jerome Huiras
C.I. File No.: 10-S-374

Dear Mr. Huiras:

We have received your claim in the amount of \$1,391.59, relating to Department of Neighborhood Services (DNS) re-inspection charges and damage to a toilet that allegedly occurred on/about August 15, 2010 at 1539 South 15th Street.

Our investigation reveals the DNS records indicate that notices were sent to you and your right to appeal these charges to the Administrative Review Appeals Board (ARAB.) The ARAB records reflect that you appealed said charges on September 20, 2010 and they denied your appeal, as such, the City will not consider these any further.

Our office contacted the DNS regarding your allegation regarding the damage to the toilet. The DNS records reflect that they conducted a re-inspection on August 19, 2010 at your request and regarding the open code violations. The inspector inspected the bathroom. He placed his foot on the toilet and gently pushed it to check if it was properly mounted. The toilet was found to be loose and did not pass the inspection. Since there is no evidence the City was negligent in this matter, we are denying this portion of your claim.


Jerome Huiras
November 9, 2010
Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1053-2010-2929:163085

11 22 2010

City Of Milwaukee

CITY OF MILWAUKEE

200 East Wells Room 205

2010 NOV 23 PM 12:42

case # 1053-2010-2929:163085

Milwaukee, Wisconsin. 53202 Attention: Robert Overholt (Investigator Adjuster)

DONALD D. LEONHARDT
CITY CLERK

Gentleman,

This house was built in 1897, That makes this building 113 years old.

At the meeting before the common council the only mention of Mathew was me. The supervisor never said I was wrong and contradict me.

I have owned this building for a number of year's. You do not treat this building rough like Mathew did. You have to treat this building with (Kid Gloves). Mathew Rzerowski Lied ! He only mentioned about treating the building with respect after he read my Reply ! I could have let a plumber replace the stack-pipe . at several thousand dollars cost .(You do have a copy of that receipt) .I WOULD BE HAPPY TO GO BEFORE A JUDGE ON THIS CASE !

It is on record that the tenant Anita walker had a (Pit Bull) in the unit at said time . we had made serveral attempts to go in side this unit to fix this problem and miss. Anita walker had left this dog in her unit Until the day she moved out . Stopping our caretaker from entering this unit at this said time . Miss Anita walker did not move out until June 27th 2010 . And left her dog there in said unit until July 4th 2010 . (Court date may 18. 2010) .

All that was left was to a half turn on the bolts on the toilet at the time. The toilet at the time of questioning did not leak and was not a health hazard .

I had no problem until Mathew Rzekowski kicked the toilet and damaged the stack pipe .

I could sue the city for damage up TO \$ 5000.00 Dollars ~~he~~. Beatrace Kelly ok the toilet . Aug 17th 2010 was this inspection.

11 22 2010

Jerome F. Huiras

Jerome F. Huiras

4280 S 43 ST

MTL WIS

53220

CITY OF MILWAUKEE
RECEIVED
NOV 23 PM 4:15
OFFICE OF
CITY ATTORNEY

City Clerks

Atten: Claims

200 E. Wells Str. Room 205

Milwaukee , Wisconsin 53202-3567

CITY OF MILWAUKEE

2010 OCT 22 PM 2:31

RONALD D. LEONARD
CITY CLERK

Oct , 20 2010

The property at 1539 s. 15th street was built 1897 making this building 113 years old . You must understand that you must treat this property with kid gloves and not kick the toilet . as did inspector (Mathew rzepkowski). I don't know who is this Gerldene Caiahan is ? My tentant at that time was Anita Walker in that unit at that time. Per court papers (enclosed) . She was being evicted at the time and by court order she was to leave the promises on july 4th 2010. But before this date she had kept her dog in the unit so we could not repair any problem's that needed to be corrected at that said time .

Enclosed you will find a letter from the tenant who is currently living there now and saw Mathew Rzepkowski kicked the toilet upon inspection contrary to the instruction's given to him by his supervisor . On 09/24/2010 another inspector came on upon the said property (Beatrice Kelly) and passed the toilet .

I would like you to take these charges off my property tax's of \$ 1,375 dollars.

Thank you ,
Jerome F. Huiras
Jerome F. Huiras

4280 s. 43rd .

Greenfield , Wisconsin 53220

OFFICE OF
CITY ATTORNEY

2010 OCT 25 PM 1:20

CITY OF MILWAUKEE
RECEIVED

I Raymond Chojnacki did witness
on the day of August 15th of 2010
the city building inspector come into
the premises of 1539 So. 15th street
And Kick the toilet and then
said - that's not going to pass

Raymond Chojnacki

10-17-2010

MENARDS®

WEST MILWAUKEE
2101 MILLER PARK WAY
WEST MILWAUKEE, WI 53219-
5003



Return Receipt
This is not an original cash
register receipt
Not valid for rebate submissions

Allowable returns for items on this receipt
will be in the form of an in store credit
voucher if the return is done after
12/12/2010

PVC FLANGE FOR CAST IRON
#43539

6896454 1@15.71 15.71
1 Returned on 09/20/2010

Payment Method(s) Used:

Check 16.59

City of Milwaukee Neighborhood Services System

Violation History

Address: 1539 S 15TH ST

Taxkey: 460-1132-000

Curr Distr	Section	Record Type	Serial #	# Orig Viols	Original Inspect Date	Compliance Date	Current Status	Final	Last Status	Original Inspector
266	Code Enf/Residential /South	Letter	7882681	6	02/03/10	06/01/10	Reinspected periodically	No	05/20/10	KELLEY, BEATRICE
46	Code Enf/Residential /South	Letter	7882631	5	02/03/10	05/17/10	Complete abatement	Yes	05/17/10	KELLEY, BEATRICE
45	Code Enf/Residential /South	Letter	7150162	4	01/07/09	03/16/09	Complete abatement	Yes	03/16/09	RZEPKOWSKI, MATTHEW
45	Code Enf/Residential /South	Letter	7150161	1	01/07/09	03/16/09	Complete abatement	Yes	03/16/09	RZEPKOWSKI, MATTHEW
266	Code Enf/Residential /South	Letter	6761671	26	04/21/08	10/14/08	Complete abatement	Yes	10/14/08	CHALSTROM, STEPHEN
45	Code Enf/Residential /South	Letter	6612881	3	01/24/08	01/28/08	Notice dismissed	Yes	01/28/08	CHALSTROM, STEPHEN
45	Code Enf/Residential /South	Letter	6587341	1	01/09/08	01/24/08	Complete abatement	Yes	01/24/08	CHALSTROM, STEPHEN

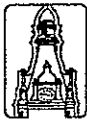


Page 1
City of Milwaukee
Department of Neighborhood Services
CHRONOLOGICAL RECORD OF ENFORCEMENT

SERIAL NO. 7882681

ADDRESS DATE	ACTIVITY AND REMARKS	DATE OF INSPECTION	INITIALS/
1539 S. 15 th St		2/13/10	
2-5-10	ORDERS MAILED FIRST CLASS.		sla
2/16/10	I received a call from <u>Gerome Huira</u> Phone # <u>321-4217</u> OR I called Phone # I Spoke to: If contact is not owner, explain: I Verified the following information: A) Owners name Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> B) Phone number Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> C) Mailing Address Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> If no, correct address is Copy mailed to new address Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> D) Receipt of orders Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> E) Explained reinsp. fee policy Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>		BK
2/16/10	Spoke w/ owner he said he would get the work done in designated time w/ tenant Geraldine Calahan - told her that owner is working on it and he has until March 3 Geraldine # 554-7510 Tenant		BK
3/26/10	Reinspected - Violations remain \$50 fee Call owner - also hear door of front Apt frame defective		BK
4-7-10	MAILED REINSPECTION LETTER		sla
4/20/10	Owner called left MSG that he is paraplegic & to call back 321-4217		
4/23/10	Called back no answer no beep for AMech		BK
5/14/10	Owner Called Said reinspect		BK
5/17/10	Reinspected - Not Done Send to Court \$75 fee		BK

If no compliance, rent withholding app. left with tenant(s)? YES/DATE
Info letter sent to tenant? Yes/Date
Unit(s)
No
Unit(s)
No



City of Milwaukee
Department of Neighborhood Services
CHRONOLOGICAL RECORD OF ENFORCEMENT

DNS-36C

ADDRESS		SERIAL NO.	DATE OF INSPECTION		
DATE	ACTIVITY AND REMARKS	TYPE OF CONTACT	INSP. NUMBER	INITIALS	
1870	MAILED REINSPECTION LETTER			sla	
7/19/09	REC'D COC...SH				
7/20/10	"APPROVED FOR MONTHLY'S"			K	
6/16/10	Deceased Out of State Letter Unenforceable Letter Previously Litigated Letter Mailed by KMK			Kk	
17 10	35 36 REINSPECTED VIOLATIONS REMAIN			JD	
12/21/10	REINSPECTION FEE NOTIFICATION LETTER MAILED			RW	
12/8/10	spoke w/ Jerome (321-4217) tenant being evicted 7/4/10 - has a vicious dog that manager won't deal with - toilet is was just loose & needed to be tightened - ceiling light will be repaired once tenant gone - advised owner to call back at end of July to set up insp.			Kk	
12/7/10	REINSPECTED VIOLATIONS REMAIN			m	
12/5/10	REINSPECTION FEE NOTIFICATION LETTER MAILED			mg	
12/3/10	REINSPECTED VIOLATIONS REMAIN			Kk	
12/17/10	REINSPECTION FEE NOTIFICATION LETTER MAILED			Kk	
12/18/10	spoke w/ Jerome - taken care of a long time ago - is appealing charges - we need to "get with it or else" - will have Insp. Rzepkowski call to get inside			Kk	
12/19/10	inspector properly told not down yet will fix and call back			K	
12/24/10	Jerry LM 11:59AM - insp. was there the other day & he kicked the toilet - will not have him reinspecting again - had someone repair - flange was broken 'cuz he kicked toilet, but has been repaired - referred to Supervisor Garbisch			Kk	

PLEASE NOTE - THIS FORM IS FOR AN IN-HOUSE DNS REVIEW. IF YOU RECEIVED A LETTER STATING YOU HAVE 30 DAYS TO APPEAL A REINSPECTION FEE, YOU MUST APPEAL TO THE ADMINISTRATIVE REVIEW APPEALS BOARD WITHIN THE 30-DAY TIME LIMIT. PLEASE CONTACT THE CITY CLERK'S OFFICE AT 414-286-2221 FOR MORE INFORMATION. The filing of a request for a review by a supervisor in DNS does NOT put a hold on your requirement to appeal to the A.R.A.B. board within the 30-day time limit.

CITY OF MILWAUKEE
DEPARTMENT OF NEIGHBORHOOD SERVICES
IN-HOUSE REINSPECTION FEE APPEAL

Please complete the form and return to:

Reinspection Fee Appeal - Nuisance Section
Department of Neighborhood Services
4001 S. 6th St.
Milwaukee, WI 53221

Reinspection Fee Appeal - Residential Section
Department of Neighborhood Services
4001 S. 6th St.
Milwaukee, WI 53221

Reinspection Fee Appeal - Commercial/Zoning Section
Department of Neighborhood Services
841 N. Broadway, 1st Floor
Milwaukee, WI 53202

Reinspection Fee Appeal - Trades Section
Department of Neighborhood Services
841 N. Broadway, 10th Floor
Milwaukee, WI 53202

Your appeal will be reviewed by the Supervisor of the section indicated above, who will send you a written decision of their findings and the process for appealing their decision if you choose to do so. Be as specific as possible in explaining why you are appealing the fee.

RE: 1539 S 15 ST. Taxkey No. 460 113200 Order Serial # 10131
Address of Property S 350

~~I wish to appeal the reinspection fee of \$~~ 1025.00 which has been assessed against the above property.
TOTAL \$1375.00

I feel that the charges are incorrect for the following reasons:

ORDERS WERE CORRECTED PER LETTER
ORDERS WERE CORRECTED INSPECTOR KICKED
TOILET, CAUSING DAMAGE TO PROPERTY / MATTHEW
RZEROWSKI / INSPECTOR /

I ALSO WANT A COPY OF THE STATE OF
WISCONSIN LAW REGARDING THIS INCIDENT.

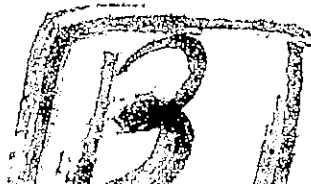
Name: JEROME F. HUIRAS

Mailing: 4280 S 43 ST.
Address Mil, WI 53220

Daytime Phone 414 321 4217

Signature Jerome F. Huiras Date 9.25.2010

PLEASE NOTE: IF THESE CHARGES APPEARED ON YOUR PROPERTY TAX BILL, YOU ARE RESPONSIBLE FOR THEIR PAYMENT BY JANUARY 31ST OF THE FOLLOWING YEAR. FAILURE TO PAY THE FEES BY THAT DATE MAY SUBJECT YOU TO INTEREST AND PENALTY CHARGES. IF YOUR APPEAL IS GRANTED YOUR PAYMENT WILL BE REFUNDED TO YOU.



STATE OF WISCONSIN : CIRCUIT COURT : MILWAUKEE COUNTY
CIVIL DIVISION-SMALL CLAIMS

JEROME F. HUIRAS,
Plaintiff,

**ANSWER, AFFIRMATIVE
DEFENSES &
COUNTERCLAIMS**

-vs-

ANIKA WALKER,

Defendant.

Case No. 10SC016055

Code: 31004

Defendant, Anika Walker, by her attorney Christopher T. Koehnke of Legal Action of Wisconsin, contests this eviction and for her answer states as to the first cause of action:

1. Defendant denies the allegations contained in Paragraph One of the plaintiff's complaint. On information and belief, throughout the time described in the plaintiff's complaint, Huiras Marital Trust is the owner of 1539 S. 15th St, Milwaukee, WI.
2. Defendant denies the allegations in paragraph 2 of the plaintiff's complaint.
3. Defendant affirmatively states that she was improperly served with a five-day notice at the same time she was served with the Summons and Complaint.
4. Defendant denies that she is unlawfully in possession of the premises, and alleges that she possesses the premises pursuant to a six-month lease which has not been properly terminated by the plaintiff.

Defendant for her answer states as to the second cause of action:

5. The defendant repeats realleges all of the above, as if stated herein.
6. The defendant denies the allegations in paragraphs 1, 2, 3, and 4 of the plaintiff's complaint.

FIRST AFFIRMATIVE DEFENSE – FAILURE TO TERMINATE TENANCY

7. The defendant repeats and realleges all of the above, as if stated herein.
8. The defendant received a five-day Notice to Pay Rent or Vacate at the same time she was served with eviction papers for this action dated May 24, 2010.
9. A five-day Notice to Pay Rent or Vacate requires that a landlord give the tenant five

NOTICES SENT TO FOR FILE 101056:

[illegible]



Legislation Details (With Text)

File #: 101036 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Jameliah Trammell for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101036

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Jameliah Trammell for property damage. (1st Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

November 29, 2010

1029-2010-1478:163880

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 29, 2010

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

Re: Resolution Relating to the Claim of Jameliah Trammell
C.I. File No. 10-L-40

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Jameliah Trammell, 2610 West Victory Lane, #4, Milwaukee, WI 53209, alleges that her vehicle was allegedly damaged by the road surface conditions in the vicinity of North Teutonia Avenue at West Garfield Street, West Villard Avenue at North 52nd Street and West Florist Avenue at North 35th Street. She also alleges the damage was caused to her vehicle when she struck a water main break patch area at the noted loss location of North 52nd Street and West Florist Avenue. She claims damages in the amount of \$6,629.08.

Our investigation reveals that the Infrastructure Services Division records reflect that they have patched these areas on a consistent basis and followed their standard procedures regarding the repairs. The Milwaukee Water Works also reviewed their records relative to this claim. They found they had responded to a main break on March 31, 2010 at 5209 West Villard Avenue. They made the necessary repairs, back-filled and placed a temporary asphalt patch on the area.

To the Honorable Common Council
November 29, 2010
Page 2

Since the City followed its standard procedures in these matters, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-1478:163879

Jameliah Shana Trammell- cell: 414-807-1313
2610 W. Victory Ln #4
Milwaukee, WI 53209

March 2010 I had suspension work done on my car. I have all of the receipts to show what work was done. Driving on my daily route the streets are horrible and when repaired the quality of the work done is very poorly, making things worse. I am requesting that all the damage that has been done be repaired. The work that I have gotten done has been damaged and more damage has been sustained.

1. All up and down Teutonia in the North/South lanes; there are large pot hole, torn up streets from the previous snow fall and being plowed.
2. All up and down Villard, both East/West lanes; its like driving over speed bumps all down the road. Also on 52nd & Villard; there was a water main break which collapsed the street. The pack job they did is horrible. Yet another major sink hole. It looks fine until you are close on it and it's too late to avoid. (I have pictures of the water when it flooded the street as well as pictures of the poor repair job once they fixed the water main. I notified police of the incident as it happened.

1. Per Brown Deer Sales Service Center

Suspension Estimate- \$

I was given both a verbal and written estimate about my suspension. The verbal estimate was \$900.00 plus tax just for 2 Rear Trailing Arms and 2 Front Lower Balljoints. This estimate did not include the Front Trailing Arms, the Rack & Pinion, nor the pressure valve for Rack & Pinion. This damage was caused by other incidents listed below.

The written estimate included

1. Both Rear Trailing Arms
2. Both Front Lower Balljoints
3. Both Front Trailing Arms
4. Rack & Pinion
5. Pressure Valve

Total cost for repair as of April 28th: \$900.00 plus tax
New Total cost for repair as of May14th: \$

CITY OF MILWAUKEE
RECEIVED
2010 JUN -1 PM 2:52
OFFICE OF THE
CITY ATTORNEY

Incidents that caused other damages

6. Teutonia & Garfield- directly across the street from Williams Funeral Home in the North bound lane. I called and reported that a repair they recently did was poor and had sunk in. It couldn't be avoided. This caused major damage to my vehicle on top of having to travel the same streets everyday.
7. All up and down 35th (Off Florist) North/South as well as Douglas East/West lanes. The street on 35th is really bad I am able to see the metal rods in the concrete. This caused damage to my car as well.

2. Per Winks Auto Electric and Brake Service

Suspension Estimate- \$63.36 (5-13-10)

1. Both Rear Trailing arms and Front trailing arms need replacement
2. Both Front end Lower Balljoints needs replacement
3. Another Rack & Pinion needs to be put on. It's busted. (This is one of the things I had replaced original in March 2010)
4. Pressure control valve is leaking (Pressurizes rack & pinion)

Total cost for repair \$3050.32 plus tax

Brown Deer Sales Service Center
7440 W. Brown Deer Road
Milwaukee, WI 53223
phone: 414-357-6590 / fax: 414-357-6595

JAMELIAH TRAMMELL
 2610 W VICTORY LANE
 Milwaukee, WI 53009

WORK ORDER # 6532 05/17/10

1993
 LEXUS
 GS300

eng: L6 3.0L 2997cc
 vin#

plate# TRAM0001

mileage

SUSPENSION					783.45	Group Total
4851080156	2@	169.95	339.90 FRONT STRUTS	000 3.00hrs@ 89.95/hr	269.85	
4868030050	2@	86.85	173.70 STRUT MOUNTS	INSTALLED FRONT STRUTS WITH MOUNTS		
Parts Sub-Total				PER EXCESSIVE WEAR		

CHASSIS & STEERING					3864.95	Group Total
4425030060	1@	1983.23	1983.23 STEERING GEAR ASSEMBLY	000 10.70hrs@ 89.95/hr	962.47	
4421030050PO	1@	919.25	919.25 Steering Gear Pinion Value	INSTALL STEERING GEAR ASSEMBLY		
Parts Sub-Total				INCLUDING STEERING GEAR VALUE DUE		
				EXCESSIVE LEAKING AND WEAR		

SUSPENSION					1616.14	Group Total
4864030110	1@	214.40	214.40 LEFT CONTROL ARM LOWER	000 13.20hrs@ 89.95/hr	1187.34	
4862030110	1@	214.40	214.40 RIGHT CONTROL ARM LOWER	REPLACE LOWER CONTROL DUE EXCESSIVE		
Parts Sub-Total				WEAR ON LOWER BALLJOINT. LOWER		
				BALLJOINT POSSIBLE NOT		
				REPLACABLE-ENTIRE CONTROL ARM MIGHT		
				HAVE TO BE REPLACED IF BALL JOINT		
				CAN NOT BE REMOVED-6.6 HRS PER SIDE		

CITY OF MILWAUKEE
 RECEIVED
 2010 JUN -1 PM 2:52
 OFFICE OF
 CITY ATTORNEY

RONALD D. LEONARD
 CITY CLERK
 2010 JUN -1 PM 1:01
 CITY OF MILWAUKEE

New

I, the Registered Owner, authorize you to perform the above repairs, furnish all materials and any necessary sublet work. Your employees may operate vehicle for inspection, testing, and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it. I agree to pay reasonable storage on vehicle left more than 48 hrs. after notification that repairs are completed. An express mechanic's lien is acknowledged on above vehicle to secure that amount of repairs thereto.

SIGNED: _____

PARTS	3844.88
LABOR	2419.66
Hazard Waste	13.00
TAX	351.54
TOTAL WORK ORDER	6629.08

WOMEN AUTO ELECTRIC AND BRAKE SERVICE
1724 West 44th Street
Cedar Rapids, IA 52405

NAME		DATE	
Jamesiah Trammell		5/13/10	
ADDRESS			
2610 W. Victory Lane #84			
MAKE	TYPE OR MODEL	YEAR	RECEIVED.
Ford	Excursion	93	A.M. P.M.
SERIAL NO.	ENGINE NO.	PROMISED	
70044494			
ODOMETER	LICENSE NO.	TERMS	PHONE WHEN READY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Gold	ORDER WRITTEN BY	PHONE	
	Trammell	802-1113	

INSTRUCTIONS	
Suspension	
\$3050.32 plus tax	
Needs both rear trailing arms and	
both front trailing arms	
Also needs both front lower ball joints	
and back air pinion pressure control valve	

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.

Tear-down estimate - I understand that my car will be reassembled within _____ days of the date shown if I choose not to authorize the services recommended.

1. I request an estimate in writing before you begin repairs. _____

2. Please proceed with repairs, but call me before continuing if the price will exceed \$_____

3. I do not want an estimate. _____

I hereby authorize the above repair work to be done along with the necessary material, and hereby grant you and/or your employees permission to operate the car or truck herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereto.

GAS OIL & GREASE		PRICE
GALS. GAS @		
QTS. OIL @		
LBS. GREASE @		
TOTAL GAS, OIL, & GREASE		

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL	

METHOD OF PAYMENT:	
<input checked="" type="checkbox"/> CASH	
<input type="checkbox"/> CHECK	
<input type="checkbox"/> CHARGE	

LABOR:	
<input type="checkbox"/> FLAT RATE	
<input type="checkbox"/> HOURLY	
<input type="checkbox"/> BOTH	

TOTAL LABOR	
TOTAL PARTS	
ACCESSORIES	
GAS, OIL & GREASE	
OUTSIDE REPAIRS	
TAX	
TOTAL AMOUNT	\$3050.32

original
work order
from Mar '10

REPAIR ORDER

WISN AUTO ELECTRIC AND BRAKE SERVICE
1834 West Walnut Street
Milwaukee, WI 53205
931-4001 931-1012

[illegible]

NAME J. L. Smith - 100001		DATE 10/10/64	
ADDRESS 100001			
MAKE Ford	TYPE OR MODEL Mustang	YEAR 1964	RECEIVED A.M. P.M.
SERIAL NO. 100001	ENGINE NO. 100001		PROMISED A.M. P.M.
ODOMETER 100001	LICENSE NO. 100001	TERMS	PHONE WHEN READY <input type="checkbox"/> YES <input type="checkbox"/> NO
ORDER WRITTEN BY 100001		PHONE 100001	

[illegible]

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. Teardown estimate - I understand that my car will be reassembled within _____ days of the date shown if I choose not to authorize the services recommended.

1. I request an estimate in writing before you begin repairs. _____
2. Please proceed with repairs, but call me before continuing if the price will exceed \$ _____. {
3. I do not want an estimate. _____

[illegible]

AUTO PARTS



21201003040251400002322150000327374605

WE WELCOME YOUR COMMENTS!
CONTACT CARQUEST VOICE OF THE
CUSTOMER DEPARTMENT 877-735-2233

After
12pm

ANY PRODUCT RETURNED FOR CREDIT MUST BE ACCOMPANIED BY THIS RECEIPT.

SEE CARQUEST STORE FOR DETAILS OF THE COAST TO COAST GUARANTEE.

THANK YOU
WE APPRECIATE YOUR BUSINESS
COME AGAIN 00000

THANK YOU
WE APPRECIATE YOUR BUSINESS
COME AGAIN 00000

INVOICE NO.		CUSTOMER NO.	DATE	CUST. P.O. NO.		SALES ID	TEAMMATE ID	FORM OF PYMT.	
2514-232215		1	03/04/10				JG1684	CASH	
MFG. PART NUMBER			ORDERED	SHIPPED	LIST PRICE	NET	NET CORE	EXT. AMOUNT	TAX
1	WPC M3010146590SNK TIE ROD END		1	1	105.61	50.11	0.00	50.11	Y/Y
2	WPC M3010146587SNK TIE ROD END		1	1	105.61	52.27	0.00	52.27	Y/Y
<p>WARRANTY DISCLAIMER: "The implied warranty of merchantability constitutes all of the warranties with respect to the sale of all items. The seller hereby expressly disclaims all warranties, either expressed or implied, including any particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of all items."</p>									
SHIP VIA		DELV. TIME	DELV. ID	FREIGHT	TAXABLE AMT.	SALES TAX	TOTAL CORE	PREV. DEPOSIT	
					102.38	5.73			

04:49 PM

RECEIVED
BY X

110.11 / 2.00

CUSTOMER COPY

PAY THIS
AMOUNT

108.11

CQEXP101

NOTICES SENT TO FOR FILE 101036:

[illegible]



Legislation Details (With Text)

File #: 100836 **Version:** 0

Type: Resolution **Status:** Dead

File created: 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Susan Fink for personal injuries.

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/13/2010	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT	Pass	3:0
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO	Pass	15:0
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
100836
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Resolution relating to the claim of Susan Fink for personal injuries.

Requestor

City Attorney

Drafter

JAS:ms

October 27, 2010

1029-2010-2177:162700

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

October 27, 2010

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

Re: Resolution Relating to the Claim of Susan J. Fink
C.I. File No. 10-L-68

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Susan J. Fink, General Delivery, Franklin, WI 53132, alleges that on April 10, 2010, she sustained injuries when she walked into an open drain hole at or near North 32nd Street and West Clybourn Avenue. She claims damages in the amount of \$7,046.34.

Our investigation reveals that this claim was filed on August 9, 2010. Wisconsin Statute § 893.80 (1)(a) requires that a notice of claim must be filed within 120 days after the happening of the event giving rise to the claim. This notice of claim was not timely filed. In addition, the Infrastructure Services Division and Milwaukee Water Works records indicate that prior to April 10, 2010, the City had no notice of this hazard in the roadway and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-2177:162699

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

①

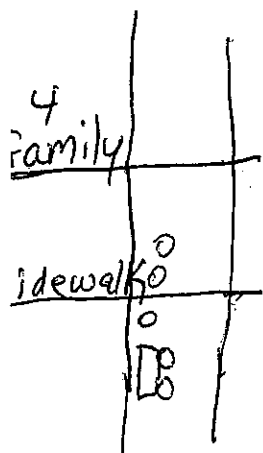
Aug-9-10

Dear, city officials

I Susan Fink am Filing a
claim, for being Injured

CITY OF MILWAUKEE
10 AUG-09 PM 1:05
RONALD J. LEONHART
CITY CLERK

on April 10th-10, I Had
parked across the street from
a 4 Family Apartment that I
was going to see.



I got out of my vehicle and
walked toward the Back of it.
walking toward the sidewalk
before the intersection.

Right before the, I could get
over there, I had walked right
into a open drain hole, the first
one, out of the three that are there
it was the only one not covered.

It has caused me to have
Some very, very painful
Injuries.

Whiplash and the R. Knee
was disfunctional, severe pain

②

Aug 9-10

1. I have pictures, and have reported this.
 2. St. Lukes Emergency Room - x rays
 3. Family Doctor - pain medication
 4. chiropractor - neck + back realigned
 5. orthopedic Doctor - Internal Injury
-

⑥

Doctor reports, + Fees

⑦

we need to determine a fair amount, for pain + suffering

The orthopedic Doctor
Said it would take 2 to 3
months for the R knee
to heal up.

It is now 4 months, and I still
can't kneel on hard surfaces

③

Aug 9-10

1. Injury site: The Intersection of 32nd and cy/Bourn.

On April 10th, during the day

② my phone no. (414) 514-2405
anytime

③. Itemized receipts.

		owed to me
pain medication	9.65 ⁰⁰	insurance
chiropractor -	35.00	56.35
DR. Ratour -	12.38	you add it
Emergency Room -	43.90	246.00
		958.75

I will have to call for ~~other~~
Insurance, ~~other~~

The orthopedic Doctor's fees

④. I, am asking for: 5,000⁰⁰

For pain and Suffering!

or to Be agreed upon
if not what you fee!

Susan Fink
General Delivery
Franklin, NH. 53233

Susan F. Fink

STATEMENT OF HOSPITAL SERVICES



Aurora Health Care®

PO BOX 341100
MILWAUKEE, WI 53234-1100Responsible Party
MS SUSAN J FINKStatement Date
07/29/2010Your balance is due by:
08/19/2010Amount
\$1,169.30ACCOUNT NUMBER
100981462

#H11009814625#

660

MS SUSAN J FINK

2528 W WELLS ST APT 106
MILWAUKEE, WI 53233-1852

Make checks payable to:

AURORA HEALTH CARE METRO
PO BOX 341100
MILWAUKEE, WI 53234-1100PAYMENT, ADDRESS AND INSURANCE INFORMATION LOCATED ON BACK
PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. SHOW ADDRESS ABOVE THROUGH WINDOW.

DATE OF SERVICE	VISIT NUMBER	DESCRIPTION	INSURANCE PENDING	PATIENT RESPONSIBILITY
04/16/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center Charges from 04/16/2010 MEDICARE PART B Payment for Charges from 04/16/2010 MEDICARE PART B Adjustments from 04/16/2010 UNITEDHEALTHCARE CHOICE P Payment for Charges from 04/16/2010 Balance due		958.75 -142.94 -771.91 0.00 43.90
06/05/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center Charges from 06/05/2010 MEDICARE PART B Payment for Charges from 06/05/2010 MEDICARE PART B Adjustments from 06/05/2010 CLAIM SENT TO UNITED HEALTH CARE on 07/16/2010 Balance due		
06/12/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center Charges from 06/12/2010 MEDICARE PART B Payment for Charges from 06/12/2010 MEDICARE PART B Adjustments from 06/12/2010 CLAIM SENT TO UNITED HEALTH CARE on 07/21/2010 Balance due		
TOTAL PATIENT RESPONSIBILITY →				\$43.90

Page 1 of 2

A portion, or all, of your account is past due.
Please mail payment in full or call Customer
Service today to set up payment arrangements.AURORA HEALTH CARE METRO
PO BOX 341100
MILWAUKEE, WI 53234-1100
Tax Id: 39-0806181

Responsible Party	Account No	Statement Date	Insurance Amount Due	Amount Due By: 08/19/2010
MS SUSAN J FINK	100981462	07/29/2010	\$1,169.30	\$43.90

For billing questions or payment arrangement, please call 800-958-6202.

Para preguntas relacionadas con su estado de cuenta o para arreglos de pagos, favor de llamar al 866-305-8165.

Contact us via e-mail at customerservice@aurora.org.Comuníquese por correo electrónico a customerservice@aurora.org.Contact us via the web at www.aurora.org/billing.Comuníquese por Internet a www.aurora.org/billing.

DATE OF SERVICE	VISIT NUMBER	DESCRIPTION	INSURANCE PENDING	PATIENT RESPONSIBILITY
06/21/2010	100981462-0172	FINK, SUSAN J Inpatient Visit - Aurora Sinai Medical Center		
		Charges from 06/21/2010	98,042.05	
		MEDICARE PART A Adjustments from 06/21/2010	-85,688.55	
		MEDICARE PART A Payment for Charges from 06/21/2010	-11,189.55	
		MEDICARE PART A Adjustments from 06/21/2010	10.05	
		MEDICARE PRO COMP Payment for Charges from 06/24/2010	-7.12	
		MEDICARE PRO COMP Payment for Charges from 06/24/2010	-7.12	
		MEDICARE PRO COMP Adjustments from 06/24/2010	-28.10	
		MEDICARE PRO COMP Adjustments from 06/24/2010	-28.10	
		CLAIM SENT TO UNITED HEALTH CARE on 07/27/2010		
		Balance due	1,103.56	
PLEASE PAY THIS AMOUNT ->				49.90

Wheaton Franciscan Medical Group

WFMG VISIT NOTE

10, 312

NAME: Fink, Susan Jane
DOB: 09/30/1959
PROVIDER: RAJENDRA RATHOUR, MD

VISIT DATE: 03/30/2010
MRN: 442785

PLAN: I have given her Vicodin for the pain. I gave her a refill of lorazepam and phentermine. I asked her to take vitamin D 2 capsules twice daily, and omega-3 fatty acids 4 capsules daily. She will return in 1-2 months for followup.

*** THIS IS AN ELECTRONICALLY VERIFIED REPORT ***

4/1/2010 12:09 PM: Rajendra Rathour, MD

RAJENDRA RATHOUR, MD
Adult Internal Medicine

D: RAJENDRA RATHOUR, MD: TSI
DD: 03/30/2010 04:00 pm DT: 04/01/2010 04:29 am
Document ID: 5639278 Voice ID: 38857



CC:

NAME: Fink, Susan Jane
DOB: 09/30/1959
PROVIDER: RAJENDRA RATHOUR, MD

VISIT DATE: 03/30/2010
MRN: 442785

WFMG VISIT NOTE
Original

PAGE 2 of 2

Progress Note (Lined)

Date of Visit 4-12-10 Age 50 Wt. 163 Ht. 5 T P R BP 180/110

BMI Pulse Ox Other

Review and update allergies and medications.

Have you ever used tobacco?	<input checked="" type="radio"/> Y <input type="radio"/> N	Do you have pain now? scale of 1 - 10	<input type="radio"/> Y <input type="radio"/> N	During the past month, have you often been bothered by feeling down, depressed or hopeless?	<input type="radio"/> Y <input type="radio"/> N
Do you smoke now?	<input type="radio"/> Y <input type="radio"/> N	Have you had pain in the last 2-4 weeks that has affected your ability to function?	<input type="radio"/> Y <input type="radio"/> N	During the past month, have you often been bothered by little interest or pleasure in doing things?	<input type="radio"/> Y <input type="radio"/> N
If yes, counseling/information offered	<input type="radio"/> Y <input type="radio"/> N	Have you been threatened, hit, shoved, or made to feel afraid?	<input type="radio"/> Y <input type="radio"/> N		
Do you drink alcohol?	<input type="radio"/> Y <input checked="" type="radio"/> N				
How often?	<u> </u>				
Do you use recreational drugs?	<input type="radio"/> Y <input checked="" type="radio"/> N				

Reason for Visit Foot twisted in a hole on street MA
MA/RN/LPN Signature

C/o Body ache - full everything hurts
Balance c/o pain @ knee, back, neck on Saturday
last fall yesterday
BP - 180/110, Wt - 163

Continue E abram in mth dr

E

off @ knee contn
Ac - back pain

the
St. John
Cyber 3

ACCOUNT ACTIVITY

SUMMARY	DESCRIPTION	ACTIVITY DATE	CHARGES	PATIENT DUE
Date of Service: 02/25/10	Filed With Medicare	02/26/10		
Account Number: 66592-7	Filed With Uhc-mgap	04/02/10		
Patient Name: Susan Fink	Office Visit		\$185.00	
Provider: Bradley D	Disallow - Medicare	04/01/10	-\$92.12	
	Payment - Medicare	04/01/10	-\$74.30	
	No Response From Insurance - Please Call Ins			
	Patient Responsible			\$18.58
Date of Service: 03/01/10	Filed With Medicare	03/02/10		
Account Number: 66592-7	Filed With Uhc-mgap	04/02/10		
Patient Name: Susan Fink	Office Visit		\$123.00	
Provider: Aune, Md C	Disallow - Medicare	04/01/10	-\$61.09	
	Payment - Medicare	04/01/10	-\$49.53	
	Patient Responsible	06/04/10		\$12.38
Date of Service: 03/30/10	Filed With Medicare	04/01/10		
Account Number: 66592-7	Office Visit		\$123.00	
Patient Name: Susan Fink	Disallow - Medicare	04/16/10	-\$61.09	
Provider: Rathour, M	Payment - Medicare	04/16/10	-\$49.53	
	No Response From Insurance - Please Call Ins			
	Patient Responsible			\$12.38
Date of Service: 04/02/10	Filed With Medicare	04/14/10		
Account Number: 66592-7	Filed With Uhc-mgap	05/26/10		
Patient Name: Susan Fink	Office Visit		\$123.00	
Provider: Aune, Md C	Disallow - Medicare	05/22/10	-\$61.09	
	Payment - Medicare	05/22/10	-\$49.53	
	Coinsurance Amount - Please Pay Promptly			
	Patient Responsible			\$12.38
Date of Service: 04/12/10	Filed With Medicare	04/14/10		
Account Number: 66592-7	Office Visit		\$123.00	
Patient Name: Susan Fink	Disallow - Medicare	04/29/10	-\$61.09	
Provider: Rathour, M	Payment - Medicare	04/29/10	-\$49.53	
	Patient Responsible	06/04/10		\$12.38
Date of Service: 04/23/10	Filed With Medicare	04/26/10		
Account Number: 66592-7	Filed With Uhc-mgap	06/02/10		
Patient Name: Susan Fink	Office Visit		\$185.00	
Provider: Aune, Md C	Disallow - Medicare	05/27/10	-\$92.12	
	Payment - Medicare	05/27/10	-\$74.30	
	Coinsurance Amount - Please Pay Promptly			
	Patient Responsible			\$18.58

Continued on next page



0203

Susan Fink
4/19/2010

HISTORY OF PRESENT ILLNESS: Ms. Fink is seen today for evaluation in regards to her right knee. She reports that on April 10, she was walking on the street, she stepped in a drain hole and fell on her knees. She was seen by Dr. Rathour on April 12, and then went to an Emergency Room at St. Luke's on April 16. She reports that she was told she had normal x-rays while at St. Luke's.

PHYSICAL EXAMINATION: Today, she has 0 to 120 degrees of flexion of her right knee. No medial or lateral laxity, and negative Lachman. She does have some tenderness to palpation about the patella.

PLAN: I explained to Ms. Fink that I think her symptoms are related to patellar bruise from falling. I recommended that she had observation only. She was requesting pain medication but I explained she should get from Dr. Rathour.

She also complains of pain in the left elbow but has a full range of motion and no swelling and no ecchymosis. I explained to Ms. Fink that I think she just had some contusion secondary to the fall and would recommend observation only at this time.

Dictated by Jeffrey Butler, M.D.

Susan Fink
DOB: 9/30/1959
Account Number: 239603

4/28/2010

Ms. Fink returns today. She had been seen in the office on April 19, 2010. She reports that she had stepped in an open drain and was suing the city, and needed an evaluation. At that time, I told her that she really had quite normal examination and normal x-rays, and that her knee pain should resolve over a period of time. She reports now that she missed court on Thursday, and is demanding that I write her a note stating she missed court, because she was physically abused. I explained to her that I do not do that kind of work, she did state that she has already gone to the emergency room and had a report filed, and that she is seeing Dr. Rathour and he has done a report, but I need to write a report that she was physically abused. I explained to Ms. Fink that matters of abuse do get handled by specially trained physicians in the emergency room, and she should obtain the report from them. She became very angry and stated that she would report me to the Department of Licensing and Regulation, because I would not give her a report to take to court. I did give her a copy of our office note from April 19, 2010.

Dictated by Jeffrey Butler, M.D.

Healthwise Chiropractic
10731 W. Forest Home Ave
Hales Corners, WI 53130
Phone: (414) 529-4600 Fax: (414) 529-4689

Patient Statement

Statement Date: Wednesday, August 04, 2010

For Activity: 04/12/2010 thru 08/04/2010

Susan Fink
General Delivery
Franklin, WI 53132

Cell: (414) 699-2209

Patient Balance: (\$43.59)

Susan Fink				Account:		876-MC	
Date	Type	Code	Description	Debit	Credit	Adjust	Balance
04/11/2010	MPBF		Balance Forward		\$60.97		(\$60.97)
04/12/2010	CPT	E0210	Ice Pack-Small <i>For knee</i>	\$5.00		\$0.00	(\$55.97)
04/12/2010	CSV	98940	98940 Spinal Medicare 1-2	\$4.67			(\$51.30)
04/12/2010	PCS		Payment-Cash		\$5.00		(\$56.30)
04/20/2010	CPT	E0210	Ice Pack-Small	\$5.00		\$0.00	(\$51.30)
04/20/2010	CSV	98941	98941 Spinal Manipulation 3-4	\$6.49			(\$44.81)
04/20/2010	PCS		Payment-Cash		\$10.00		(\$54.81)
04/21/2010	PCS		Payment-Cash		\$5.00		(\$59.81)
04/22/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.49			(\$53.32)
04/23/2010	PCS		Payment-Cash		\$5.00		(\$58.32)
04/27/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.49			(\$51.83)
05/06/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$51.83)
05/06/2010	PCS		Payment-Cash		\$5.00		(\$56.83)
05/18/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$56.83)
05/21/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.62			(\$50.21)
05/24/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$50.21)
05/26/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.62			(\$43.59)

Balance: (\$43.59)

Current	31 - 60 Days	61 - 90 Days	91 - 120 Days	121 + Days
(\$43.59)	\$0.00	\$0.00	\$0.00	\$0.00

851.41

908.75

Please Double Check amount

Please cut along the line and enclose this portion with your payment.

Susan Fink
General Delivery
Franklin, WI 53132

Account: 876-MC

Patient Balance: (\$43.59)

Credit balance. No payment is due.

Healthwise Chiropractic
10731 W. Forest Home Ave
Hales Corners, WI 53130

If you have any questions regarding your statment, please direct them to the billing office.

Change of Condition Report

If you have experienced a sudden change in your physical condition, we would like to know about it because we want your treatment to be the best possible for your present state. Your complete recounting of any discomfort you have felt, and any accidents or injuries you have had recently, even if you experienced no apparent reaction, will help us help you more. Please provide us with the information requested below.

Name Susan Fink Date 7-12-10

List any falls, accidents, or other injuries you have had since your last visit: Fall, sprain knee

twisted whole body neck

Date of injury: 7-10-10 Time pm

Where did it happen? walking on street

What happened? walked in a uncovered

Drain Hole

List any out-of-the-ordinary pains, discomforts, or other symptoms you have experienced as a result of this injury or since your last visit:

neck to lower back
sprained knee

What have you done to try to relieve your symptoms?

pain med, ice pack
+ rest

Have you received any other care for this injury?

If so, where and what?

From primary physician

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured 3027024744

Date 04/12/2010

Provider Dr. Robert Carpenter, D.C.

Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; right cervical dorsal area.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas and axis. Active trigger points were discovered in the suboccipital and cervical musculature regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere. Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state. Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; right lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed hypertonicity in the following areas; occipital region (headache), right TMJ and cervical region.

Assessment:

Susan has had an exacerbation. These are episodic marked deterioration of the patient's condition due to acute flareups of the presenting conditions. It is probably from the allergy peak of the season..

Plan:

Today's treatment included the following; 1-2 region manipulation, trigger point work and percussor therapy. Our goals of continued treatment include the following; relief care.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured [REDACTED]

Date 04/20/2010

Provider Dr. Michael Rottiger DC

Subjective:

Susan said that she stepped in a missing manhole cover and twisted and fell almost two weeks ago. From that she is sore "all over". Her low back is tender especially on the left side. Muscle spasm is found on the left gluteal. Both sides of her neck are sore with the left side more spasmed than the. She also said that her knee is sore from when she twisted and landed on it. She saw an orthopedic for that problem earlier this week.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; atlas, axis, C5, T1, T2, L1, L3, L4, sacrum, right pelvis and left pelvis. Palpation of the muscles revealed spasm in the following areas; left cervical dorsal area and left pelvic area. Palpation of the muscles revealed hypertonicity in the following areas; cervical region and lumbosacral region.

Assessment:

Susan's condition has worsened since the last treatment from the fall she took from stepping on a missing manhole cover. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

Plan:

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicocranial syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

Date 04/22/2010

Provider Dr. Michael Rottiger DC

Subjective:

Susan said that she was pushed down by the maintance man her her apartment building and landed on her wrist and knee. she is quite shook up from teh experience. She does have a spasm in her left trapezius. The left side of her neck is better than her last appointment. The right side of teh neck is still very tight and tender to the touch.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, C5, T1, T2, T6, sacrum, right pelvis and left pelvis.

Assessment:

Susan's condition is the same since the last treatment. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

Plan:

Todays treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease segmental dysfunction and decrease muscle spasms.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

Date 04/27/2010

Provider Dr. Michael Rottiger DC

Subjective:

Susan said that she was feeling slightly better than last week. The left side is less spasmed and less tender. The right side of the neck is still pretty tight and still quite tender at the right upper. Her right TMJ was off also. Mid back and low back were much better as compared to last week.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C7, T1 and sacrum. An extremity subluxation was discovered and adjusted in the right TMJ. Palpation of the muscles revealed spasm in the following areas; occipital region (headache), right cervical dorsal area, right upper thoracic area and left upper thoracic area.

Assessment:

Susan's condition is showing improvement. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

Plan:

Today's treatment included the following; 3-4 region manipulation and extremity adjustments. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease segmental dysfunction and decrease muscle spasms.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Poi # None

Insured 3 [REDACTED]

Date 05/06/2010

Provider Dr. Michael Rottiger DC

Subjective:

Susan is improving, but her neck is still tighter than normal. The right side is still tighter than the left, but the left was tighter than last week. Her mid back and low back were much improved compared to last week.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C6, C7 and T1. Palpation of the muscles revealed spasm in the following areas; cervical region.

Assessment:

Susan's condition is showing improvement. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return in one week.

Plan:

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

23 [REDACTED]

Date 05/18/2010

Provider Dr. Michael Rottiger DC

Subjective:

Susan entered the office with sharp right cervical pain. She seems to be more agitated and stressed today. she said that she is not sleeping well. She was very tight in the neck and upper back. Spasms were from the occipital area down the right side of the neck.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C7, T1, T6, T10, L5, sacrum, right pelvis and left pelvis. Palpation of the muscles revealed spasm in the following areas; occipital region (headache), right cervical dorsal area and left upper thoracic area.

Assessment:

Susan's condition is the same since the last treatment if not a little worse today. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return in one week.

Plan:

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

Date 05/21/2010

Provider Dr. Robert Carpenter, D.C.

Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; occipital region (headache), right TMJ, cervical region, right cervical dorsal area and lumbar region.

Objective:

An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere.

Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state.

Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

Assessment:

Susan's condition has worsened since the last treatment due to a very strong allergy season and this is the second day that I have seen a number of patients that are suffering with a very strong reaction to whatever is blooming.

Plan:

Our goals of continued treatment include the following; relief care. Today's treatment included the following; 3-4 region manipulation, extremity adjustments, trigger point work, myofascial release, percussor therapy and laser therapy.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicoranal syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

Date 05/24/2010

Provider Dr. Robert Carpenter, D.C.

Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; occipital region (headache), right TMJ, right cervical dorsal area, right mid thoracic area and lumbar region.

Objective:

An increase in pain was noted in the following cervical or lumbodorsal planes of motion; left lateral cervical flexion, right lateral cervical flexion and left lateral lumbar flexion. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere.

Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state.

Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

Assessment:

Susan's condition has worsened since the last treatment due to a very strong allergy season and this is the second day that I have seen a number of patients that are suffering with a very strong reaction to whatever is blooming.

Plan:

Our goals of continued treatment include the following; relief care. Today's treatment included the following; 3-4 region manipulation, extremity adjustments, trigger point work, myofascial release, percussor therapy and laser therapy.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicocranial syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

Chart Notes

Susan Fink

Phone: (414) 529-4600
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

Date 05/26/2010

Provider: Dr. Robert Carpenter, D.C.

Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; cervical region, thoracic region and lumbar region. She stated that the pain in her right neck is only a 3 now and has stopped stabbing her as of yesterday.

Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; T8, T12 and L1. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere. Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state. Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

Assessment:

Susan's condition is showing improvement. Susan reported feeling better after the treatment. Susan's condition is well controlled at this time.

Plan:

Today's treatment included the following; 3-4 region manipulation and trigger point work. Today's treatment included the following; . Our goals of continued treatment include the following; relief care.

Diagnosis 739.0: Occipital/cervical segment dysfunction
723.2: Cervicocranial syndrome
739.4: Sacroiliac segment dysfunction
847.3: Sacral sprain/strain

JEROME DRUGS-MUSKEGO

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

Patient Medical Expenses

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
Subscriber	Adj Auth Id	Amt Billed	Pat Pay				
X Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 R. RATHOUR PAID (MEDCO)	1244218 / 0 / 100 Take one (1) tablet orally (by mouth) every 4 hours as needed	30.00	5	JJ	04/12/2010		
	811230525	SXC3CNK	11.30				<u>2.38</u>
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR PAID (MEDCO)	1243107 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed	60.00	30	MM	04/16/2010		
	811230525	YL3HRQQ	17.25				3.05
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 1 / 100 Take one (1) capsule orally (by mouth) daily	30.00	30	MM	04/17/2010		
	811230525	YL3TNW3	14.00				2.68
X Hydrocodone-Acetaminophen Tablet *00603-3881-28 R. RATHOUR PAID (MEDCO)	1244972 / 0 / 100 Take one (1) tablet every 6 hours as needed	15.00	4	KK	04/20/2010		
	811230525	YMCKNE1	7.55				<u>1.32</u>
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 0 / 100 Take one (1) tablet orally (by mouth) three times daily	90.00	30	KK	04/25/2010		
	811230525	OKMN9CF	11.75				2.94
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1245522 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed	45.00	20	KK	04/25/2010		
	811230525	9CP3MTM	14.45				3.31
Triamcinolone Acetonide Cream 0.5 % 45802-0065-35 R. RATHOUR PAID (MEDCO)	1240340 / 1 / 100 Apply locally twice daily	30.00	15	KK	04/28/2010		
	811230525	RQ7E7RE	15.35				1.93
X Hydrocodone-Acetaminophen Tablet *53746-0109-05 R. RATHOUR PAID (MEDCO)	1245862 / 0 / 100 Take one (1) tablet orally (by mouth) every 6 hours as needed	30.00	8	KK	04/28/2010		
	811230525	RQ7NRPL	17.25				<u>2.45</u>
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1243106 / 1 / 100 Take one (1) tablet orally (by mouth) daily	30.00	30	JJ	05/01/2010		
			23.25				23.25

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : _____

Printed: Thursday, August 05, 2010 04:05 PM



JEROME DRUGS-MUSKEGO

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

Patient Medical Expenses

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
	Subscriber		Adj Auth Id		Amt Billed		Pat Pay
Premarin Tablet 0.9 MG 00046-1103-81 R. RATHOUR PAID (MEDCO)	1235450 / 4 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	05/01/2010 67.25		13.14
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 0 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	05/01/2010 14.00		2.68
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR Cash	1243107 / 1 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	30.00	15	MM	05/04/2010 8.50		8.50
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1247485 / 0 / 100 Take one (1) tablet every 4 to 6 hours as needed 811230525	45.00	8	JJ	05/14/2010 14.45		3.31
LORazepam Tablet 1 MG *00591-0241-05 CARTER AUNE PAID (MEDCO)	1247486 / 0 / 100 Take one (1) tablet every 4 to 6 hours as needed 811230525	45.00	8	JJ	05/14/2010 14.00		2.41
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 2 / 100 Take one (1) capsule orally (by mouth) daily 811230525	30.00	30	MM	05/20/2010 14.00		3.43
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1243106 / 2 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	MM	05/23/2010 23.25		23.25
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR PAID (MEDCO)	1243107 / 2 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	60.00	30	KK	05/25/2010 17.25		3.05
X Hydrocodone-Acetaminophen Tablet *00406-0358-05 R. RATHOUR PAID (MEDCO)	1248772 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	60.00	30	JJ	05/28/2010 20.25		3.50

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : _____

Printed: Thursday, August 05, 2010 04:05 PM



JEROME DRUGS-MUSKEGO

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

Patient Medical Expenses

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
	Subscriber		Adj Auth Id		Amt Billed		Pat Pay
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 1 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	06/05/2010 14.00		2.68
Premarin Tablet 0.9 MG 00046-1103-81 R. RATHOUR PAID (MEDCO)	1235450 / 5 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	06/05/2010 67.25		13.14
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 1 / 100 Take one (1) tablet orally (by mouth) three times daily 811230525	90.00	30	JJ	06/05/2010 11.75		2.94
Cyclobenzaprine HCl Tablet 10 MG 65162-0541-11 R. RATHOUR PAID (MEDCO)	1249357 / 0 / 100 Take one (1) tablet twice daily as needed 811230525	20.00	10	JJ	06/05/2010 11.00		1.55
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1249734 / 0 / 100 Take one (1) tablet orally (by mouth) every 4 to 6 hours as needed 811230525	45.00	8	KK	06/09/2010 14.45		3.31
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 0 / 100 Take one (1) tablet orally (by mouth) daily	30.00	30	JJ	06/12/2010 23.25		23.25
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 3 / 100 Take one (1) capsule orally (by mouth) daily 811230525	30.00	30	JJ	06/12/2010 14.00		3.43
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR Cash	1243107 / 3 / 100 Take one (1) tablet orally (by mouth) twice daily as needed	30.00	15	JJ	06/14/2010 11.00		11.00
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 1 / 100 Take one (1) tablet orally (by mouth) daily	30.00	30	JJ	07/05/2010 23.25		23.25

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : _____

Printed: Thursday, August 05, 2010 04:05 PM



JEROME DRUGS-MUSKEGO

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

Patient Medical Expenses

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
	Subscriber		Adj Auth Id		Amt Billed		Pat Pay
LORazepam Tablet 1 MG *00591-0241-10 CARTER AUNE PAID (MEDCO)	1249735 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	45.00	23	JJ	07/05/2010		
			Y1MLTCX		18.75		2.41
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 2 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	07/30/2010		
			QHM13NX		14.00		2.68
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 2 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	07/30/2010		
					23.25		23.25
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 4 / 100 Take one (1) capsule orally (by mouth) daily 811230525	30.00	30	JJ	07/30/2010		
			9WA91NE		14.00		3.43
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 2 / 100 Take one (1) tablet orally (by mouth) three times daily 811230525	90.00	30	JJ	07/30/2010		
			W7TRQNW		11.75		2.94
Premarin Tablet 0.9 MG 00046-1103-81 AYMEN KHOGALI PAID (MEDCO)	1254322 / 0 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	07/30/2010		
			W7TRWCC		67.25		13.64

*Amounts in italics are batch/paper bills that have not been reconciled (Amt. Billed - Copay = Ins Paid).***Patient Pay Total :****239.48**

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : _____

Printed: Thursday, August 05, 2010 04:05 PM



NOTICES SENT TO FOR FILE 100836:

[illegible]



Legislation Details (With Text)

File #: 101037 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Carl Peterson for property damage.

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101037

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Carl Peterson for property damage.

Requestor

City Attorney

Drafter

JAS:ms

November 29, 2010

1029-2010-3038:163864

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 29, 2010

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

Re: Resolution Relating to the Claim of Carl Peterson
C.I. File No. 10-L-141

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Carl Peterson, 2618 North 69th Street, Wauwatosa, WI 53213, alleges that on September 20, 2010, his vehicle allegedly sustained damage at North Dr. Martin Luther King, Jr. Drive and West Center Street when it struck an unmarked manhole cover that was in a construction zone. He seeks damages in the amount of \$12,967.64.

Our investigation reveals that the Infrastructure Services Division records indicate that the Department of Public Works – Infrastructure Services Street Maintenance did not have any maintenance projects along North Dr. Martin Luther King, Jr. Drive at West Center Street in September, 2010. The reconstruction of North Dr. Martin Luther King, Jr. Drive between West McKinley Avenue and West Burleigh Street is a State of Wisconsin paving project, State ID No. 2984-03-70. Their contact information is the **State of Wisconsin Department of Transportation, District 2, Attention: Jason Roselle, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798**. The contractor involved is **Payne & Dolan, Inc., N3 W3650 Badinger Road, P.O. Box 781, Waukesha, WI 53187**.

Since the City is not involved with the project, it cannot accept liability and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure

c: Carl Peterson
1029-2010-3038:163862

Detailed Incident Report

Date of Incident: September 20th, 2010 at approximately 2:30 pm

Location of Incident: The Intersection of Center Street and Martin Luther King Jr. Blvd (as abbreviated MLK in the recollection below)

Detailed Recollection of the Incident: While travelling eastbound on Center Street on Monday, 20 September 2010, my vehicle sustained severe damage to both the engine's oil pan and transmission housing upon striking an unmarked manhole cover at Center St. and MLK. The details are as follows.

I approached the intersection of Center and MLK. One block from the intersection, I observed the light was red so I reduced my speed in order to stop.

It was clear that MLK Drive was under construction with the center lanes ground down for repaving. The difference between the paved surface and the yet-to-pave surface was significant throughout the intersection, perhaps by 3 to 4 inches. Unfortunately, because the protruding manhole cover was unmarked, I was unable to clearly see the hazard until I entered the intersection once the light turned green. It should be noted that two protruding manhole covers to the north of the intersection, both blocked off to traffic, were marked although inconsistently: the one closest to the intersection was covered only by the black ring typically found at the base of orange construction barrels (See Attachment A) while the next one to the north was marked by a dented construction barrel missing a light. (See Attachment B)

Continuing through the intersection, I attempted to take evasive action but was prevented from doing so by an illegally parked SUV. Further, cars were following at a close distance, eliminating the possibility of an abrupt stop even though traffic volume was moderate. My only choice was to proceed through the intersection, over the protruding manhole cover (See Attachments C and D).

The combination of an uneven road surface with the street clearance of my vehicle's chassis resulted in the undercarriage striking the northernmost edge of the manhole cover with a severe jolt and pronounced scraping sound. Almost instantly, my vehicle began to shake violently. I continued to proceed through the intersection. An onboard warning light immediately indicated low oil pressure and displayed that I should stop the engine promptly. I looked for the nearest place to stop out of traffic which was roughly 1-1/2 blocks from the intersection.

As I approached the curb, I noticed a fluid streak leading from the intersection to my car. It appeared to be oil. Once parked, I crouched to look under my vehicle, and spotted the source of the oil: a gaping hole in the oil pan, with oil steadily streaming out. I looked back to see a trail leading from the point where I exited the intersection to where I was parked. I would estimate

2010 NOV -1 AM 11:57
RECEIVED
CITY OF MILWAU
OFFICE OF
CITY ATTORNEY
2010 NOV -1 PM 3:

that I lost approximately 5 quarts of oil. Realizing the loss of oil was significant, I called a tow truck as my vehicle was inoperable. (See Attachments E, F, and G)

While I waited for the tow truck, cars in the parking lane began clearing. It was at this time that I noticed the stains from my vehicle were 1 of 3 similar stains, all beginning at the protruding manhole. Given the definition of the other two streaks I saw, the oldest streak appeared to be at least 2 weeks old. (See Attachment F)

I looked once again underneath the vehicle to notice that, in addition to a crack in the oil pan, the impact of the manhole cover to the oil pan had forced one of the engine mounts to buckle. The engine appeared to have pivoted on the drive axles, forcing the lower portion of the crankcase toward the back of the engine compartment. (See Attachment H)

Shortly after assessing the damage, a tow truck arrived and transported my vehicle to a nearby automotive repair shop. It was here that the true extent of the damage was assessed by a mechanic. Besides the large hole in the oil pan, buckled mount, and disheveled engine position, the mechanic called my attention to a large gouge in the transmission housing. The gouge also had a fairly pronounced crack leading from it. In addition to the gouge, another prominent crack extended from across the lower portion of the transmission housing. (See Attachments H and I)

Shortly after the thorough inspection I had the mechanic draft an estimate for \$713.20 which was later revised to \$4,413.40, which was again further revised three more times to \$6,851.36 as new information became available throughout the repair. In all, the new oil pan, new oil, new clutch kit and flywheel for the used replacement transmission, rebuilt drive axels, assorted seals, hardware, and labor brought the total cost of the repair to \$6,967.94 (an itemized receipt is attached below.)

I currently work 30-40 hours a week at \$8/hr. I simply do not have the means to repair damage of this magnitude, when it is not a matter of my own negligence. Due to the city's failure to properly maintain hazard markings, I am unable to operate my vehicle which is my primary mode of transportation to and from my place of work at Mitchell Field. Further, there is insufficient public transportation from my home in Wauwatosa to the airport. Because my shift starts at 3:45 AM, public transportation is not available at this hour. My further alternatives would not be fiscally feasible, as they would cost more than a day's pay to utilize.

I understand the fact that many of Milwaukee's roads are in need of repair, however, construction has been an ongoing process for many months now and I have never seen a road, seemingly, abandoned in such a state. Take the North Avenue construction, for example, more specifically around Humboldt and Oakland Avenues. I commuted down North Ave. daily throughout the duration of the road construction. Rarely did I see hazardous roads open to the public, or road hazards without marking. The State St. construction was similarly well marked. In fact, the only place I ran into problems with hazard markings and chaos, as I would describe it, was on the streets west of, and including, Martin Luther King Jr. Drive. It is my hopes that,

much like the delayed snow plowing controversy we experienced this winter, this is not a result of the area's demographic.

Given my evidence, being that either the proper resources were not allocated or the proper procedures not enforced, my vehicle has sustained \$4,680.81 as a direct result of the incident and was repaired for a total of \$6,967.64 with essential maintenance. Furthermore, given the evidence that there were prior incidents at this particular intersection, my incident was not an isolated occurrence. In my opinion, the City of Milwaukee was negligent in maintaining proper hazard markings, which would have prevented the extensive damage to my vehicle, which left me without a vehicle for an excess of 3 and a half weeks. This fact made getting to my place of work very expensive and difficult. The extra expense is simply one that I cannot afford after the extensive repair. Therefore a satisfactory resolution would be to have the City of Milwaukee reimburse the cost of repair totaling \$6,967.64 and an additional \$6,000 for the financial hardship I have endured and have yet to endure as a result of this incident. These hardships include my heightened transportation costs, supplemental repairs to the vehicle, which were greater than \$2,000, and the inevitable insurance rate increase in the months ahead.

You may reach me on my cell phone at **414-630-2275** or **carlizawwsun@gmail.com**. Friday through Tuesday 3:45AM to 11:45AM I am scheduled to work, and as such may not always answer my phone, but if a message is left I will promptly return the call at my earliest convenience. I hope we can reach an agreement on this matter and look forward to hearing back.

Singed,

A handwritten signature in black ink, appearing to read "Carl Peterson", with a stylized, flowing script.

October 14th, 2010

Carl Peterson



RIVERSIDE AUTOMOTIVE SERVICE & PARTS, INC.

2750 NORTH OAKLAND AVENUE
MILWAUKEE, WI 53211
(414) 983-0707
www.riversideautomotive.com



INVOICE

Date: Oct 13, 2010

Service Writer: PLB

Work Order: 67.907

Name: Mark Peterson

Address: 416 N. 71st St.

Wauwatosa, WI 53213

Phone# (414) 630-2275 Carl (414) 659-8919 Home

Driver: Mark

Make: 2003 VOLKSWAGEN

Model: GOLF GTI 6SPD

Engine: V6-2792 2.8L

Plate: WI-166NKW

VIN: 9BWDH61J134080965

Odometer In/Out: 93,962/93,962

Comment:

AAA

Hit manhole cover, oil pan damaged

TS Engine

TS REMOVE & REPLACE OIL PAN &/OR GASKET

TS Engine Cleaner

TS Oil Pan

TS Gasket Sealer

BRKCL

022103601HA

00004320373

4.00

1.00

1.00

1.00

5.95

284.08

30.88

30.88

3.20

95.00

95.00

95.00

304.00

23.80

284.08

30.88

Service Subtotal 642.76

TS Drive Train

TS R&R Transmission

GTI

TS Used Transmission

69,000 miles on transmission / 6 month warranty part only per Smart Parts

TS Automatic Transmission Fluid

TS Mount

TS Bolt

TS Bolt

TS Mount, Upper

TS Used Subframe

TS Replace Subframe

TS Replace Mounts

400-61531

ATF

1J0199851AM

N90597005

N10546810

1J0199555BS

used

1.00

8.00

1.00

1.00

1.00

1.00

1.00

1.00

1.00

1.00

2,000.00

7.95

170.00

2.20

2.80

128.00

250.00

250.00

4.20

2.00

8.00

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95.00

95.00

95.00

Service Subtotal 3,965.60

Exhaust And Clutch

Clutch Kil

Flywheel

Rear crankseal

Breather

Control Arm Bushing

Dip Stick

06A198141C

021105266J

021103051C

1J0721488C

8N0407181B

022115607J

1.00

1.00

1.00

1.00

2.00

1.00

614.15

795.00

39.00

68.07

45.30

19.80

614.15

795.00

39.00

68.07

90.60

19.80

Service Subtotal 1,626.62

Shop Supplies

7.50

7.50

15.00

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.

1. I request an estimate in writing before you begin repairs.

2. Please proceed with repairs, but call me before continuing if the price will exceed \$_____

3. I do not want an estimate.

X

SDWLAC-3

☐ This vehicle received without face to face customer contact.

SHOP REPRESENTATIVE SIGNATURE

I HEREBY AUTHORIZE THE ABOVE REPAIR WORK TO BE DONE ALONG WITH NECESSARY MATERIALS. YOU AND YOUR EMPLOYEES MAY OPERATE ABOVE VEHICLE FOR PURPOSES OF TESTING, INSPECTION OR DELIVERY AT MY RISK. AN EXPRESS MECHANIC LIEN IS ACKNOWLEDGED ON ABOVE VEHICLE TO SECURE THE AMOUNT OF REPAIRS THEREON. YOU WILL NOT BE HELD RESPONSIBLE FOR LOSS OR DAMAGE TO VEHICLE OR ARTICLES LEFT IN VEHICLE IN CASE OF FIRE, THEFT, ACCIDENT OR ANY OTHER CAUSE BEYOND YOUR CONTROL OR FOR ANY DELAYS CAUSED BY UNAVAILABILITY OF PARTS OR DELAYS IN PARTS SHIPMENTS BY THE SUPPLIER OR TRANSPORTER.

PLEASE SEE REVERSE SIDE

X

*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 8811, Madison, Wisconsin 53708-8811.



RIVERSIDE AUTOMOTIVE SERVICE & PARTS, INC.

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INVOICE

Date: Oct 13, 2010

Service Writer: PLB

Work Order: 67,907

Name: Mark Peterson
Address: 416 N. 71st St.

Make: 2003 VOLKSWAGEN
Model: GOLF GTI 6SPD
Engine: V6-2792 2.8L
Plate: WI-166NKKW
VIN: 9BYVDH61J134080965
Odometer In/Out: 93,962/93,962

Phone# Wauwatosa, WI 53213
Driver: (414) 630-2275 Carl (414) 659-8919 Home
Mark

Drive Train

Rebuilt Drive Axle, RF	shar	1.00	138.00	138.00
Rebuilt Drive Axle, LF	shai	1.00	138.00	138.00
Service Subtotal				276.00

Revision Authorization: Original \$712.20 Revised \$712.20 Difference \$0.00

Peter Bilgo contacted Mark by Phone on Sep 21, 2010 at 4:09 PM. authorized oil pan replacement

TS	Oil, Lube & Filter - Synthetic				
	Includes Up to 5 qts. of synthetic oil, new filter				
	check all fluids, tires, coolant				
	visual inspection of chassis				
TS	Oil Filter	1.00	Included		
TS	Synthetic Oil	5.00	Included		
	OILSYN				
Service Subtotal				72.45	

Revision Authorization: Original \$712.20 Revised \$4,413.40 Difference \$3,701.2

Revision Authorization: Original \$4,413.40 Revised \$5,466.87 Difference \$1,053

Revision Authorization: Original \$5,466.87 Revised \$5,758.32 Difference \$291.4

Revision Authorization: Original \$5,758.32 Revised \$6,851.36 Difference \$1,093

Peter Bilgo contacted Carl by Phone on Sep 27, 2010 at 12:40 PM. authorized clutch replacement
Joe Drezdon contacted Carl by Phone on Oct 08, 2010 at 10:44 AM. Needed flywheel replaced
Peter Bilgo contacted Carl by Phone on Oct 11, 2010 at 9:18 AM. authorized rebuilt drive axles
Peter Bilgo contacted Larry Smith by Direct Contact on Oct 12, 2010 at 9:37 AM. authorized mounts, bolts, used subframe and additional labor (6.2 hrs)

Payment Summary

Check	2,635.17
Check	1,205.96
Mstr Card	3,126.81
Total Paid	6967.94
Balance	0.00

Charge Summary

Parts	4,922.93
Labor	1,660.50
Sublet Labor	0.00
Hazardous Waste	0.00
Shop Supplies	15.00
Discounts	0.00
Subtotal	6,598.43
Total Tax	369.51
Invoice Total	6,967.94

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I request an estimate in writing before you begin repairs.

Please proceed with repairs, but call me before continuing if the price will exceed

I do not want an estimate.

☐ This vehicle received without face to face customer contact.

*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

SHOP REPRESENTATIVE SIGNATURE

I HEREBY AUTHORIZE THE ABOVE REPAIR WORK TO BE DONE ALONG WITH NECESSARY MATERIALS. YOU AND YOUR EMPLOYEES MAY OPERATE ABOVE VEHICLE FOR PURPOSES OF TESTING, INSPECTION OR DELIVERY AT MY RISK. AN EXPRESS MECHANIC'S LIEN IS ACKNOWLEDGED ON ABOVE VEHICLE TO SECURE THE AMOUNT OF REPAIRS THEREON. YOU WILL NOT BE HELD RESPONSIBLE FOR LOSS OR DAMAGE TO VEHICLE OR ARTICLES LEFT IN VEHICLE IN CASE OF FIRE, THEFT, ACCIDENT OR ANY OTHER CAUSE BEYOND YOUR CONTROL, OR FOR ANY DELAYS CAUSED BY UNAVAILABILITY OF PARTS OR DELAYS IN PARTS SHIPMENTS BY THE SUPPLIER OR TRANSPORTER.
PLEASE SEE REVERSE SIDE.



Attachment A: A protruding manhole cover marked only by a black ring.



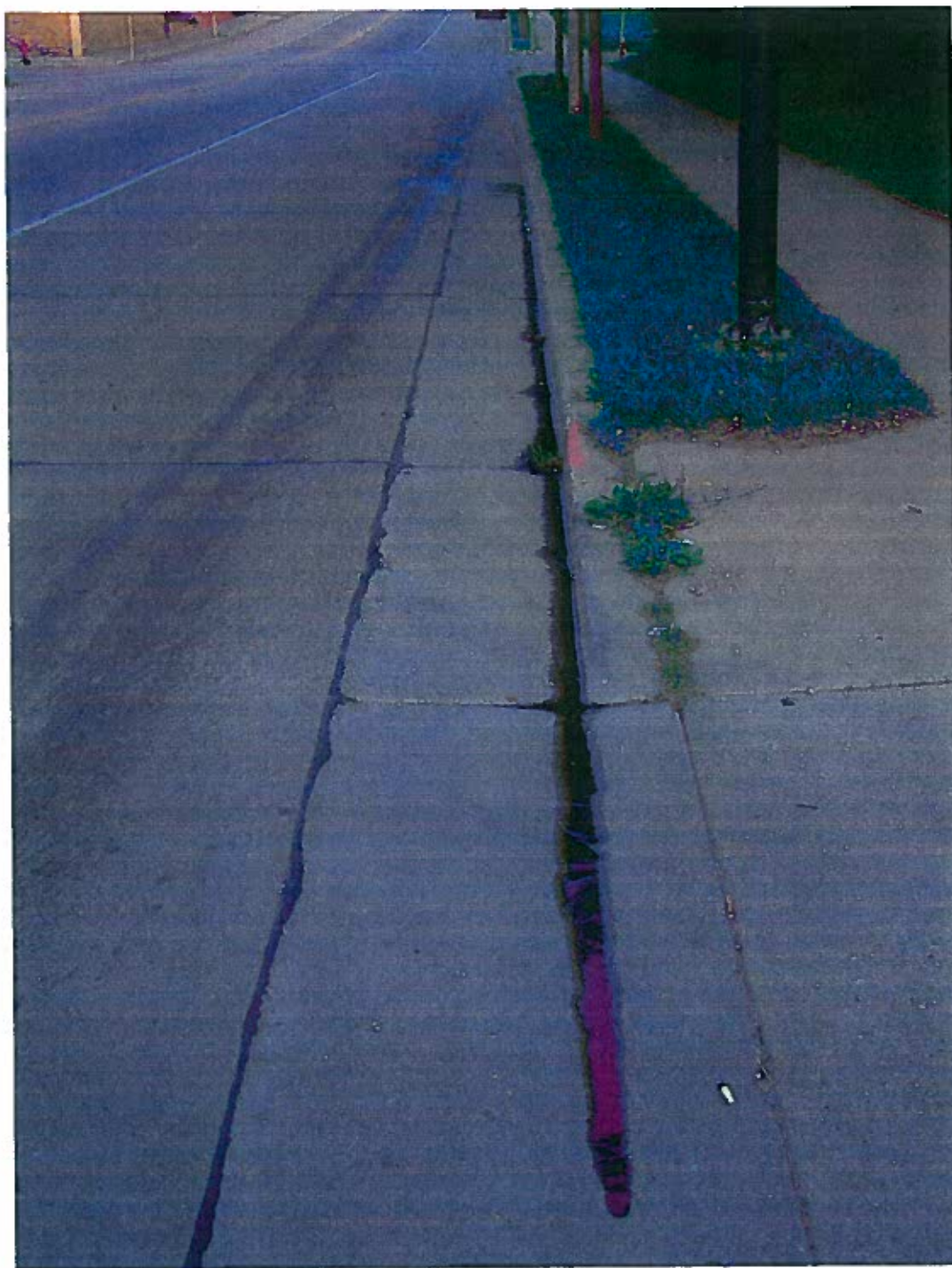
Attachment B: A dented orange barrel sits atop a protruding manhole cover as a vehicle attempts to navigate the intersection.



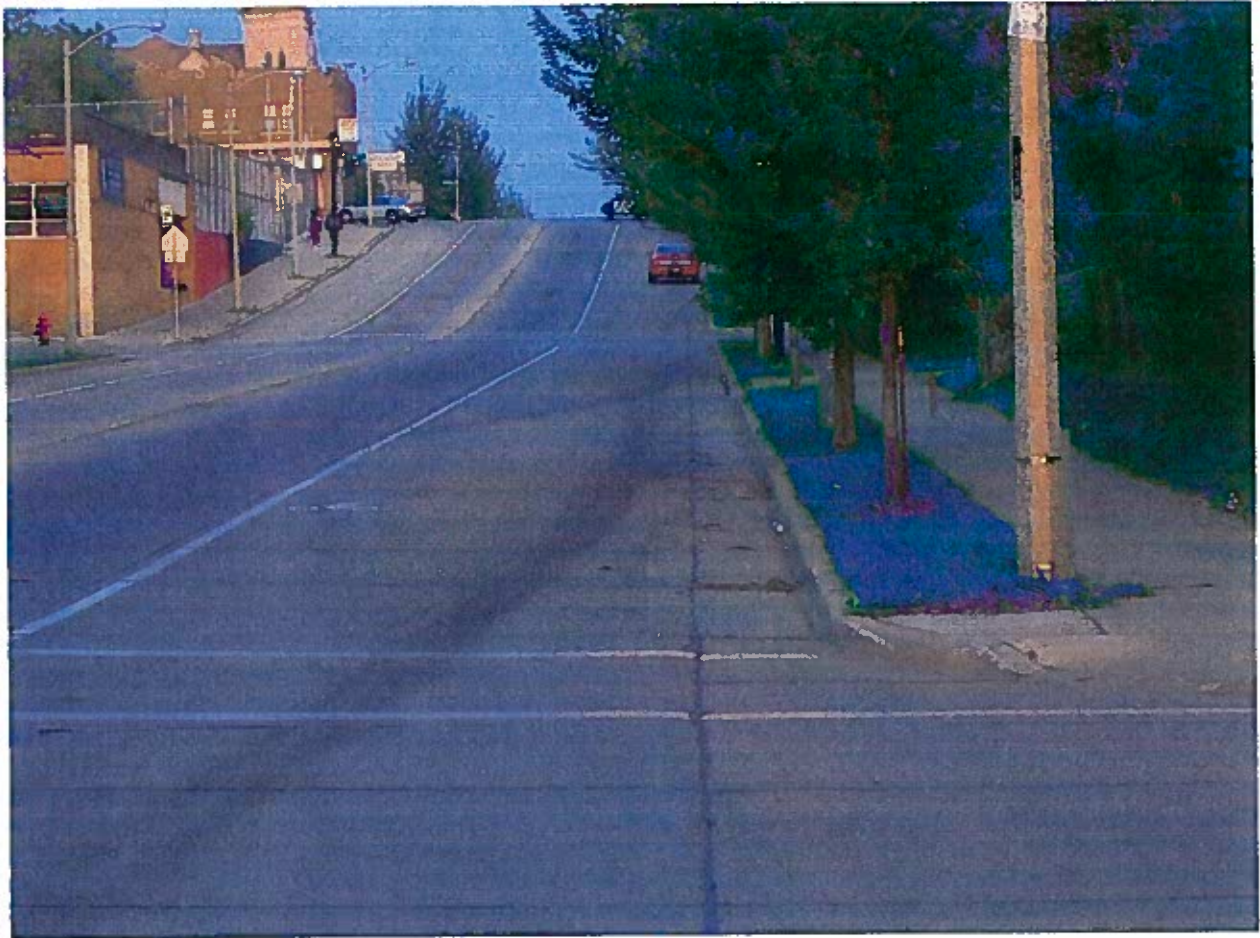
Attachment C : The unmarked manhole cover located at the intersection of Center St. and Martin Luther King Jr. Drive.



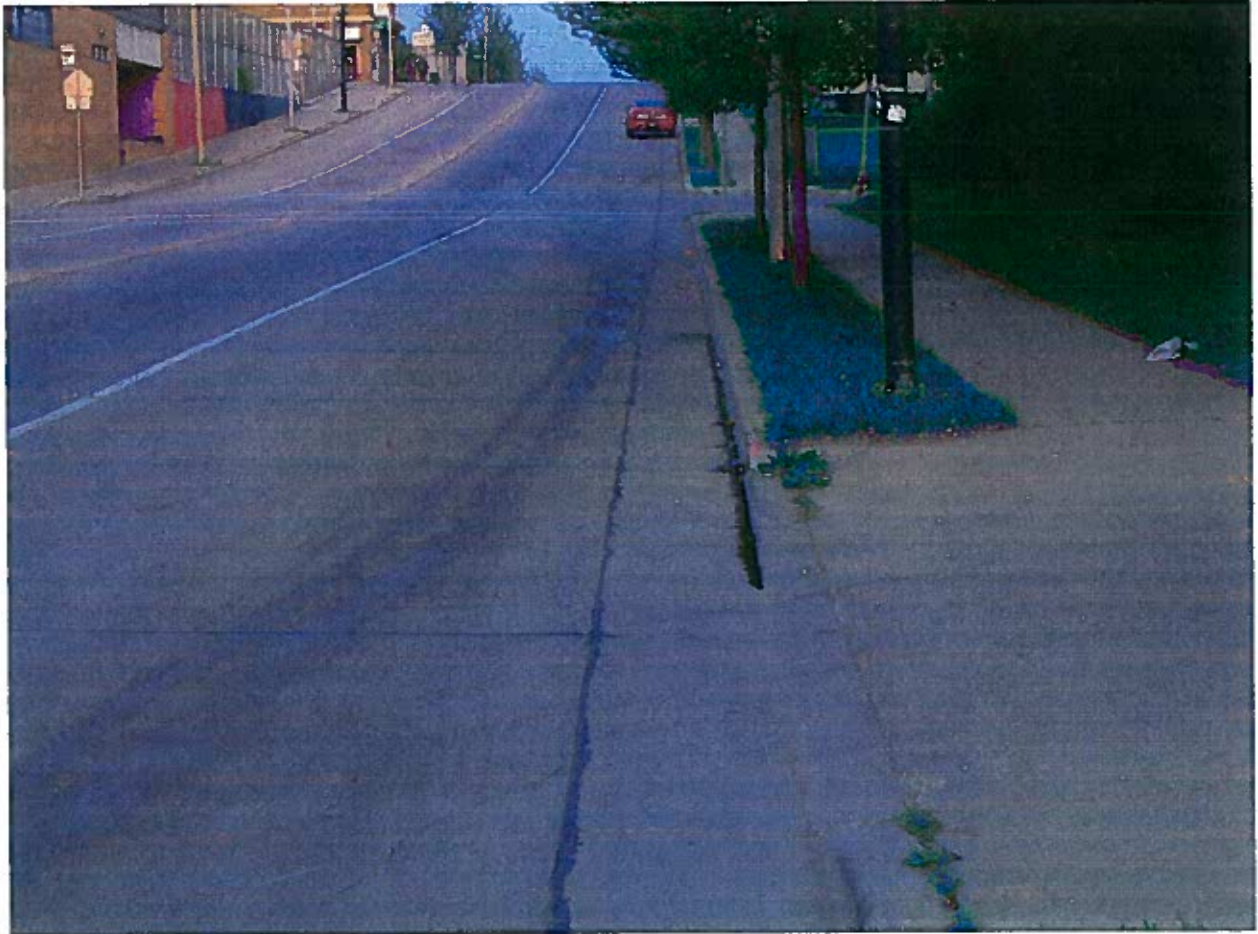
Attachment D: *A picture on the very uneven road surface around the manhole cover. Also in this picture: the darker area immediately left of the "3" was fresh oil released from my oil pan.*



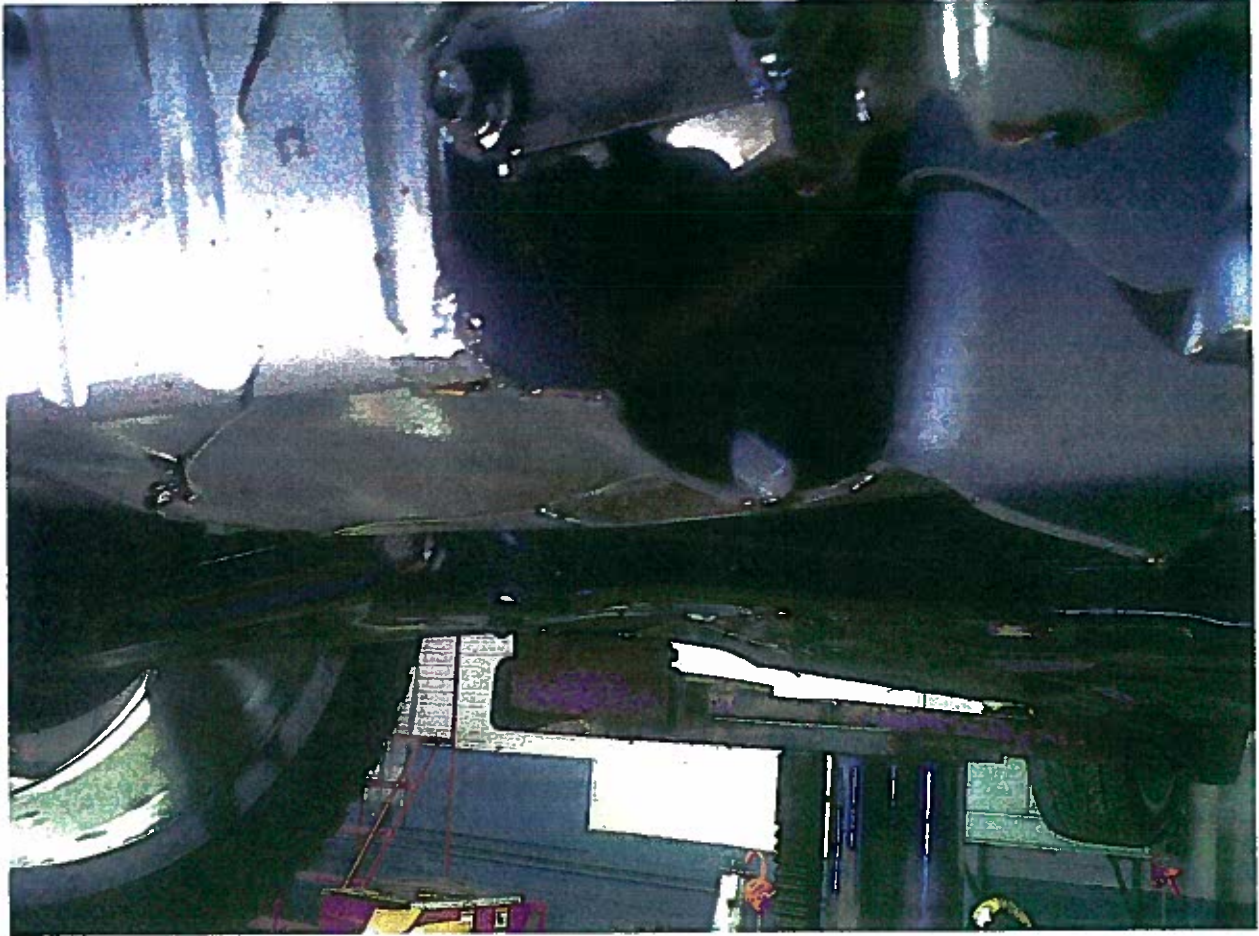
Attachment E: Moments after my vehicle had been towed; a fresh slick of oil can be seen on the nearby pavement. The left-hand slick from when the vehicle was in motion. The right-hand slick developed while the vehicle sat parked.



Attachment F: Two almost identical oil slicks leading away from Center and MLK. The second visible streak was my own.



Attachment G: *The streak shows my vehicle exiting traffic and coming to a stop near the corner of Center St. and 1st Ave.*



Attachment H: *A picture of the cracked and otherwise destroyed oil pan*



Attachment I: Damage from Right to Left: (Right) A Gouge in the transmission housing (Bottom Right) The collapsed mount (Center) A crack through the transmission housing (Left) What is left of the oil pan

NOTICES SENT TO FOR FILE 101037:

[illegible]



Legislation Details (With Text)

File #: 101019 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Clemon Thames for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101019

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Clemon Thames for property damage. (15th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

November 18, 2010

1068-2010-2936:163741

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 18, 2010

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

Re: Resolution Relating to the Claim of CLEMON R. THAMES
C.I. File No. 10-L-130

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Clemon R. Thames, 2725 North 38th Street, Milwaukee, WI 53210, alleges that on August 20, 2010 he sustained damages when a City tree branch broke off and fell onto his vehicle which was parked at 2729 North 38th Street. He claims damages in the amount of \$6,400.00.

Our investigation reveals that the Forestry Section records indicate that on August 20, 2010, they received and responded to a call of a tree which was down on a car and blocking the street at 2729 North 38th Street. Upon arrival, their crew found that a 16-inch diameter by 35-foot-long branch from a Green Ash tree located in the City right-of-way had fallen. The tree and branch were alive. The branch showed some evidence of internal decay, which was not visible from the outside. As a result of this incident, the tree lost a significant amount of its crown and is now in the process of being removed by the Section. They also note that at the time of the loss, the City was experiencing windy conditions with a peak wind speed of 43 mph. In addition, in keeping with the cyclical pruning of all trees in this area, the tree was last pruned in 2007 and no outward signs of decay were evident. Finally, the Section also reviewed their records for the previous 5 years and found no other complaints or service requests for this tree. There is no

To the Honorable Common Council
Of the City of Milwaukee
November 18, 2010
Page 2

evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1068-2010-2936:163560

CLEMON R. THAMES
2725-N-38TH ST
MILW, WI. 53210
PH# 414-871-1545

"I Clemon R Thames,"

I own a 2001 Buick, "Park Ave." ON
August 20-2000, between 5:30 and 6:00 PM,
I was helping my daughter move. I got a
phone call, a tree had fallen on the
roof of my car. I went home, and the
tree had smashed my car. My car were
parked in front of 2729-N-38TH ST.

CITY OF MILWAUKEE
10 OCT 21 AM 9:28
RONALD O. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
20 OCT 25 PM 1:00
OFFICE OF
CITY ATTORNEY

ADAMS AUTO BODY

2719 North 5th Street
Milwaukee, WI 53212
562-6161



Written By *[Signature]*
Ins Co
Adj
Claim
No
Pol
No
Ins
Phone
Apri
Co
Apri
Name
Phone

Date In _____ Date Out _____
Damage Estimate Code Key
A-Align N-New P-Paint R-Repair RR-Remove and Replace RI-Right
U-Used S-Straighten C-Center Lr-Lower Lt-Left Op-Open Up-Upper AM-After Market

Name *Clemon Thames* Date *8/26/10*
Address *2725 N. 38th* City *Milw* State *WI* Zip *53210*
Hm Ph *871-1545* Wk Ph _____ ID Number _____
Year *01* Buick Model *Park Ave* 4dr License _____ Speedometer _____

Repair	Replace	Miscellaneous	Paint No.	Subject	Labor Hours	Paint Hours	Parts Price
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							

REPAIR EXCEED VALUE

Value is

6400.00

This estimate is based on our inspection and does not cover any additional parts or labor which may be required after the work has been opened up.

NOT RESPONSIBLE FOR ANY PERSONAL ITEMS LEFT IN CAR

I hereby authorize the above repair work to be done along with the necessary materials. You and your employees may operate the above vehicle for purposes of testing, inspection or delivery at my risk. An express mechanic's lien is acknowledged on above vehicle to secure the amount of repairs thereto. You will not be held responsible for loss or damage to vehicle or in case of fire or theft, accident or any other cause beyond your control. STORAGE WILL BE CHARGED FORTY-EIGHT HOURS AFTER REPAIRS ARE COMPLETED IN THE EVENT LEGAL ACTION IS NECESSARY TO ENFORCE THIS CONTRACT. I WILL PAY REASONABLE ATTORNEY'S FEES AND COURT COST.

SIGNED

X _____

Terms: STRICTLY CASH unless Arrangements Made.

PARTS	
LABOR	hrs es _____
PAINT	hrs. es _____
PAINT MATERIALS	
MECH	hrs. es _____
FRAME	hrs. es _____
TOWING	STORAGE
MISC.	SUBLET
EPA/WASTE DISPOSAL CHARGE	
SUB TOTAL	<i>6400.00</i>
TAX	
TOTAL	

FOREST HOME AUTO BODY
3135 W. FOREST HOME AVENUE
MILWAUKEE, WISCONSIN 53215
OFFICE: 414-384-6360 FAX: 414-384-6354
FEDERAL ID # 39-1897933

*** PRELIMINARY ESTIMATE ***

09/09/2010 01:25 PM

Owner

Owner: CLEMON thames
Address: 2725 N. 38TH ST.
City State Zip: Milwaukee, WI 53210

Work/Day:
FAX:

Inspection

Inspection Date: 09/09/2010 01:26 PM
Primary Impact: Roof

Inspection Type:
Secondary Impact:

Appraiser Name: MARTY/DEBBIE ZABEL
Address: 3135 W. FOREST HOME AVE.
City State Zip: Milwaukee, WI 53215

Appraiser License # :
Work/Day: (414)384-6360
FAX: (414)384-6354

Repairer

Repairer: FOREST HOME AUTO BODY
Address: 3135 W. FOREST HOME AVENUE
City State Zip: Milwaukee, WI 53215
Email: FORESTAB@SBCGLOBAL.NET

Contact: MARTY & DEBBIE ZABEL
Work/Day: (414)384-6360
FAX: (414)384-6354
Work/Day:

Vehicle

2001 Buick Park Avenue STD 4 DR Sedan
6cyl Gasoline 3.8
4 Speed Automatic

Lic.Plate: 992-PRB
Lic Expire:
Prod Date:
Veh Insp# :
Condition:
Ext. Color: WHITE
Ext. Refinish: Two-Stage

Lic State: WI
VIN: 1G4CW54K714173427
Mileage: 160,000
Mileage Type: Actual
Code: S5323A
Int. Color: GRAY
Int. Refinish: Two-Stage

Options

Alarm System
Chromed Alloy Wheels
Cruise Control
Dual Power Seats
Keyless Entry System
Lighted Entry System
Power Door Locks
Power Windows
Side Airbags
Tilt Steering Wheel

Anti-lock Brakes
Climate Control For A/C
Dual Air Conditioning
Heated Front Seats
Leather Seats
Overhead Console
Power Mirrors
Rear Window Defroster
Strg Wheel Radio Control
Tinted Glass

Auto Load Leveling
Compact Disc W/Tape
Dual Airbags
Intermittent Wipers
Leather Steering Wheel
Power Brakes
Power Steering
Rem Trunk-L/Gate Release
Tachometer

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
1	SB	143		Windshield,Tinted	Sublet Repair	\$227.00*			SM
2	EU	365	07	Panel,Bodyside Otr Up LT	Replace Recycled	\$100.00*	+25.00	24.4	SM

3	L	365		Panel,Bodyside Otr Upr LT	Refinish			1.3	RF
					1.1 Surface				
					0.2 Two-stage				
4	EU	366	07	Panel,Bodyside Otr Upr RT	Replace Recycled	\$100.00*	+25.00	19.5	SM
5	L	366		Panel,Bodyside Otr Upr RT	Refinish			1.3	RF
					1.1 Surface				
					0.2 Two-stage				
6	I	208		Door Shell,Front RT	Repair			1.0*	SM
				>> CAN NOT OPEN DOOR					
7	EU	287		Door Assembly,Rear LT	Replace Recycled	\$250.00*	+25.00	2.6	SM
8	L	287	13	Door Shell,Rear LT	Refinish			4.3	RF
					2.1 Surface				
					1.0 Edge				
					0.6 Two-stage setup				
					0.6 Two-stage				
9	RI	321		W/Strip,Belt Outer LT	R & I Assembly			INC	SM
10	RI	309		Handle,RR Door Outer LT	R & I Assembly			0.4	SM
11	EU	341		Panel,Roof	Replace Recycled	\$250.00*	+25.00	14.4	SM
12	L	341		Panel,Roof	Refinish			4.0	RF
					3.3 Surface				
					0.7 Two-stage				
13	E	295		Mldg,Roof Drip LT	12372223 GM Part	\$143.22		INC	SM
14	L	295		Mldg,Roof Drip LT	Refinish			0.4	RF
					0.3 Surface				
					0.1 Two-stage				
15	E	296		Mldg,Roof Drip RT	12372222 GM Part	\$142.98		INC	SM
16	L	296		Mldg,Roof Drip RT	Refinish			0.4	RF
					0.3 Surface				
					0.1 Two-stage				
17	E	872	01	Headliner,Roof	88890767 GM Part	\$643.28		INC	SM
18	SB	369		Back Glass,Heated	Sublet Repair	\$352.00*			SM
19	I	389		Panel,Quarter LT	Repair			6.5*	SM
20	L	389		Panel,Quarter LT	Refinish			2.6	RF
					2.2 Surface				
					0.4 Two-stage				
21	I	390		Panel,Quarter RT	Repair			4.5*	SM
22	L	390		Panel,Quarter RT	Refinish			2.5	RF
					2.3 Surface				
					0.2 Two-stage				
23	RI	554		Taillamp Assembly LT	R & I Assembly			INC	SM
24	RI	555		Taillamp Assembly RT	R & I Assembly			INC	SM
25	EC	M07		Pinstripes-Tape	Replace Economy	\$12.00*		0.5*	SM
26	I	M14		Corrosion Protection	Sublet Repair	\$10.00*		0.3*	SM
27	I	M31		Set-Up For Realignment	Repair			2.0*	FR
28	EC	M60		Hazardous Waste Removal	Replace Economy	\$3.00*			SM
29	I	M69		Glass Clean Up	Repair			1.0*	SM
30	I			UNIBODY REALIGN	Repair			4.5*	SM*
30	Items								

MC Message

01 CALL DEALER FOR EXACT PART # / PRICE
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts	\$929.48	
Other Parts	\$715.00	
Paint Materials	\$537.60	
Line Item Markup	\$175.00	
Parts & Material Total		\$2,357.08
Tax on Parts & Material	@ 5.600%	\$132.00

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$52.00	61.8	17.8	79.6	\$4,139.20
Mech/Elec (ME)	\$64.00				
Frame (FR)	\$58.00		2.0	2.0	\$116.00
Refinish (RF)	\$52.00	16.8		16.8	\$873.60
Paint Materials	\$32.00				

Labor Total	98.4 Hours	\$5,128.80
Tax on Labor	@ 5.600%	\$287.21
Sublet Repairs		\$589.00
Tax on Sublet	@ 5.600%	\$32.98
Gross Total		\$8,527.07
Net Total		\$8,527.07

Alternate Parts Y/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53215 Default

Audatex Estimating 6.0.217 ES 09/09/2010 01:33 PM REL 6.0.217 DT 08/01/2010 DB 09/08/2010
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3.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.
ESTIMATE CALCULATED USING THE 2.5 HOUR MAXIMUM ALLOWANCE FOR TWO-STAGE REFINISH OF NON-FLEX, EXTERIOR SURFACES.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT 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 THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Op Codes

* = User-Entered Value	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/Reblt	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	



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ANDREW AUTOMOTIVE - BODY REPAIR CENTER
1621 W. LA SALLE ST.
MILWAUKEE, WI 53209
PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 29462-1 DATE 09/10/10

SHOP: ANDREW AUTO BODY REPAIR INSP DATE: 09/10/10
ADDRESS: 1621 W. LASALLE ST. CONTACT: DAVID MAERTZ
CITY STATE: GLENDALE, WI PHONE 1: (414)540-2559
ZIP: 53209- FAX: (414)228-7420

OWNER: THAMES, CLEMON HOME PHONE: (414)871-1545
ADDRESS: 2725 N. 38TH ST.
CITY STATE: MILWAUKEE, WI
ZIP: 53210

POINT OF IMPACT: 0

LIC#: STATE: VIN: 1G4CW54K714173427
BODY COLOR: WHITE MILEAGE:
CONDITION: GOOD ACCTNG CTL#:

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

2001 BUICK PARK AVENUE STD 4DOOR SEDAN 6CYL GASOLINE 3.8
CODE: S5323A/E OPTNS K/24F

OPTIONS:
TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
STRG WHEEL MTD RADIO CONTROLS

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
I			VEH IS OBVIOUS TOTAL L SUBLET REPAIR		10000.00*				1*

1 ITEMS

FINAL CALCULATIONS & ENTRIES
PARTS & MATERIAL TOTAL

LABOR	RATE	REPLACE HRS	REPAIR HRS
1-SHEET METAL	54.00		

2001 BUICK PARK AVENUE STD 4DOOR SEDAN
CD LOG NO 29462-1

2-MECH/ELEC	102.00
3-FRAME	55.00
4-REFINISH	54.00
5-PAINT MATERIAL	34.00

LABOR TOTAL

SUBLET REPAIRS		10,000.00
TAX ON SUBLET	@	5.600% 560.00
TOWING		
STORAGE		

GROSS TOTAL 10,560.00

NET TOTAL 10,560.00

SHOPLINK UG202 ES CD LOG 29462-1 DATE 09/10/10 11:19:05AM R6.37 CD 08/10

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.



David Maertz

Asst. Bodyshop Mgr./Estimator
Email: Andrewautobody@gmail.com
Direct Line: (414) 247-6557

1621 W. LaSalle St.
Milwaukee, WI 53209

Phone: (414) 540-2559
Fax: (414) 228-7420

NOTICES SENT TO FOR FILE 101019:

[illegible]



Legislation Details (With Text)

File #: 101018 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Diane Williams for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/4/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

101018

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Diane Williams for property damage. (6th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

November 18, 2010

1068-2010-2981:163559

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
Assistant City Attorneys

November 18, 2010

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

Re: Resolution Relating to the Claim of DIANE E. WILLIAMS
C.I. File No. 10-L-137

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Diane E. Williams, 408 West Wright Street, Milwaukee, WI 53212, alleges that on October 26, 2010 she sustained damages when a City tree branch broke off and fell onto her vehicle which was parked at the southwest corner of North 4th Street and West Wright Street. She claims damages in the amount of \$5,537.81.

Our investigation reveals that the Forestry Section records indicate that on October 26, 2010, they received and responded to a call of a large, broken branch down on a car at 408 West Wright Street. Upon arrival, their crew found that a 6-inch diameter by 20-foot long branch from an Elm tree located in the City right-of-way had fallen. The tree and branch were alive. There was some associated deadwood with the branch. The tree and branch had no decay evident. The Section also noted that at the time of the loss, the City was experiencing windy conditions with a peak wind speed of 61 mph. In addition, in keeping with the cyclical pruning of all trees in this area, the tree was last pruned in 2005 and no outward signs of decay were evident. Finally, the Section also reviewed their records for the previous 5 years and found only a request in June, 2007 to remove a broken branch hanging from this tree. This was done at that time. There were no other complaints or

To the Honorable Common Council
Of the City of Milwaukee
November 18, 2010
Page 2

service requests for this tree. There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1068-2010-2981:163557

CITY OF MILWAUKEE
10 OCT 27 PM 4:25
RALD D. LEONARD
CITY CLERK

CLAIM AGAINST THE CITY OF MILWAUKEE 10/27/10
CLAIMANT: DIANE E WILLIAMS LOCATION: SW CORNER OF
408 W. WRIGHT ST. N. 4TH & W. WRIGHT STS.
MIL., WI 53212 ON N. 4TH BENEATH A
(414) 264-2060 CITY OF MIL. TREE

AUTO: 2004 GOLD KIA RIO PLATE # 659-FZA

INCIDENT: A CITY OF MILWAUKEE TREE BRANCH FELL ON MY CAR.

AT APPX. 4:30 AM. ON TUESDAY, 10/26/10, MY NEIGHBOR CALLED
TO SAY A TREE BRANCH HAD DAMAGED MY CAR. I
A LARGE TREE BRANCH, LONGER THAN MY CAR, SURROUNDED MY
CAR. THE REAR WINDOW WAS SMASHED OUT & THERE WAS DAMAGE
THE DRIVER'S SIDE. THERE WAS A HUGE DENT ON THE ROOF,
DENTS & SCRATCHES ON THE HOOD AND ALONG THE SIDE FROM
FRONT TO REAR AND THE HEADLIGHT IS OUT.

AFTER THIS INCIDENT, MY NEIGHBOR, PAULA GASTON
4 WRIGHT ST. INFORMED ME SHE HAD PREVIOUSLY CONTACTED
THE CITY ABOUT THE SAME TREE AND FALLEN BRANCHES.

I CONTACTED DPW CALL CENTER. THEY MADE A REPORT OF
DAMAGES & REMOVED THE TREE.

I AM SEEKING DAMAGES IN THE AMOUNT OF \$6,243.31
BASED ON THE ESTIMATE FROM DARROW, THE DEALERSHIP WHERE
I PURCHASED THE CAR.

Diane E. Williams

ENCLOSED: 2 ESTIMATES (DARROW & ANDREW)

RUSS DARROW COLLISION CENTER
 7676 NORTH 76TH STREET
 MILWAUKEE WI 53224-9010
 PHONE (414) 362-7520 FAX (414) 355-6744
 MOBILE ESTIMATING (414) 587-9015 AT DEALERSHIPS

CD LOG NO 20009-1 DATE 10/26/10

SHOP: RUSS DARROW COLLISION CENTER INSP DATE: 10/26/10
 ADDRESS: 7676 NORTH 76TH STREET CONTACT: CHRIS MARQUARDT
 CITY STATE: MILWAUKEE, WI PHONE 1: (414) 362-7520
 ZIP: 53223- PHONE 2: (414) 354-8338
 FAX: (414) 355-6744

OWNER: WILLIAMS, DIANE HOME PHONE: (414) 264-2060
 ADDRESS: 408 W WRIGHT ST
 CITY STATE: MILWAUKEE, WI
 ZIP: 53212

POINT OF IMPACT: 13 TYPE OF LOSS: /DRV

LIC#: 659-FZA STATE: WI VIN: KNADC125546301550
 BODY COLOR: GOLD MILEAGE:
 CONDITION: GOOD ACCTNG CTL#:

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE-PARTL REPL PRICE	ET-PARTL REPL LABOR	IT-PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT-TWO-TONE	CC=CHIPGUARD	SB-SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

TREE FELL ON VEHICLE
 MULTIPLE AREAS OF DAMAGE

2004 KIA RIO STD 4DOOR SEDAN 4CYL GASOLINE 1.6
 CODE: KA204A/D OPTNS B/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP	GDE	MC DESCRIPTION	MFG. PART NO.	PRICE	AJ% B%	HOURS	R
RI0006		FRONT BUMPER ASSY R&I	R&I ASSEMBLY			0.5	1
E 1057		RET, FRT BUMPER COVER	MULTI-PART	22.59		0.6	1
RI0041		HEADLAMP ASSY, HALOG LT	R&I ASSEMBLY			INC	1
E 0053		BULB, HALOGEN HEADLA LT	1864960556	20.42			1
I 0083		PANEL, HOOD	REPAIR			4.0	1
L 0083	13	PANEL, HOOD	REFINISH			4.2	4
			3.0 SURFACE				

0.6 TWO STAGE SETUP				
0.6 TWO STAGE				
RI1137	NOZZLE,W/S WASHER	LT R&I ASSEMBLY		0.1 1
RI1138	NOZZLE,W/S WASHER	RT R&I ASSEMBLY		0.1 1
E 0103	FENDER,FRONT	LT 66311FD101	113.00	1.4 1
L 0103	FENDER,FRONT	LT REFINISH		2.2 4
1.3 SURFACE				
0.5 EDGE				
0.4 TWO STAGE				
RI0115	MLDG,FENDER SIDE	LT R&I ASSEMBLY		0.2 1
RI0143	WINDSHIELD R & I	R&I ASSEMBLY		INC 1
EC0144	SEALANT KIT,W/SHIELD	ECONOMY PART	25.00*	INC 1
E 0123	MLDG ASSY,W/S REVEAL	OK30A50600D	31.92	2.4 1
L 0625	PILLAR,WINDSHIELD	LT REFINISH		0.6 4
0.5 SURFACE				
0.1 TWO STAGE				
RI0416	ANTENNA	LT R&I ASSEMBLY		0.7 1
RI0883	HEADLINER R & I	R&I ASSEMBLY		0.2 1
BR0209	PNL,FRONT DOOR OUTE	LT BLEND REFINISH		1.0 4
0.7 BLEND				
0.3 TWO STAGE				
RI0269	W/STRIP,BELT OUTER	LT R&I ASSEMBLY		0.2 1
RI0231	PNL,INNER DOOR TRIM	LT R&I ASSEMBLY		INC 1
RI0249	MLDG,FRONT DOOR SID	LT R&I ASSEMBLY		0.3 1
RI0229	MIRROR,OUTER STAND	LT R&I ASSEMBLY		0.3 1
RI0223	CYL,FRONT DOOR LOCK	LT R&I ASSEMBLY		0.7 1
RI0253	HANDLE,FRONT DOOR O	LT R&I ASSEMBLY		INC 1
I 0289	PNL,REAR DOOR OUTER	LT REPAIR		2.0*1
L 0289	PNL,REAR DOOR OUTER	LT REFINISH		1.9 4
1.6 SURFACE				
0.3 TWO STAGE				
RI0273	W/STRIP,BELT OUTER	LT R&I ASSEMBLY		0.6 1
RI0339	MLDG,REAR DOOR SIDE	LT R&I ASSEMBLY		0.3 1
RI0307	PNL,INNER DOOR TRIM	LT R&I ASSEMBLY		0.2 1
RI0299	HANDLE,RR DOOR OUTE	LT R&I ASSEMBLY		0.2 1
E 0341	PANEL,ROOF	OK30A70601	305.53	13.1 1
L 0341	PANEL,ROOF	REFINISH		3.0 4
2.6 SURFACE				
0.4 TWO STAGE				
E 0337	MLDG,ROOF DRIP	LT OK30A509L0A	24.49	INC 1
E 0338	MLDG,ROOF DRIP	RT OK30A509H0A	24.49	INC 1
E 0334	REINF,ROOF	OK30A70711	93.61	1.0 1
L 0334	REINF,ROOF	REFINISH		0.4 4
0.3 SURFACE				
0.1 TWO STAGE				
E 0331	RAIL,ROOF SIDE	LT OK30A71050B	75.92	2.5 1
L 0331	RAIL,ROOF SIDE	LT REFINISH		0.4 4
0.3 SURFACE				
0.1 TWO STAGE				
E 0369	BACK GLASS,HEATED	OK30G63930B	287.16	INC 1
EC0370	SEALANT KIT,BACK GLASS	ECONOMY PART	25.00*	INC 1
E 0358	MLDG ASSY,BACK GLASS	OK30A50610F	33.07	INC 1

2004 KIA RIO STD 4DOOR SEDAN
CD LOG NO 20009-1

E 0389	PANEL, QUARTER	LT 0K3YA71300A	441.15	12.3 1
L 0389	PANEL, QUARTER	LT REFINISH		3.1 4
		1.9 SURFACE		
		1.0 EDGE		
		0.2 TWO STAGE		
I 0479	LID, REAR DECK	REPAIR		4.0*1
L 0479	LID, REAR DECK	REFINISH		2.2 4
		2.2 SURFACE		
		INC TWO STAGE		
E 0489	N/PLATE, DECK LID	86313FD000	20.62	0.2 1
E 0488	EMBLEM, DECK LID	0K34C51725	11.46	0.2 1
ECM14	CORROSION PROTECTION	ECONOMY PART		0.5*4*
L M15	COLOR TINT	REFINISH		0.2*4*
ECM17	COVER CAR EXTERIOR	ECONOMY PART	10.00*	2*
SBM60	HAZARD. WSTE. REM.	SUBLET REPAIR	5.00*	1*

51 ITEMS

MC MESSAGE(S)

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				1,505.43
OTHER PARTS				60.00
PAINT MATERIAL				669.80
PARTS & MATERIAL TOTAL				2,235.23
TAX ON PARTS & MATERIAL @			5.600%	125.17
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	54.00	38.3	10.0	2,608.20
2-MECH/ELEC	103.00			
3-FRAME	54.00			
4-REFINISH	54.00	19.7		1,063.80
5-PAINT MATERIAL	34.00			
LABOR TOTAL				3,672.00
TAX ON LABOR		@	5.600%	205.63
SUBLET REPAIRS				5.00
TAX ON SUBLET		@	5.600%	0.28
TOWING				
STORAGE				
GROSS TOTAL				6,243.31
NET TOTAL				6,243.31

SHOPLINK U1732 ES CD LOG 20009-1 DATE 10/26/10 03:11:19PM R6.37 CD 09/10

EDU: 1008 HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.1 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.
AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS
ESTIMATE.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT 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 THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

NOTICE: WHEN SELECTING A REPAIR FACILITY, THE VEHICLE OWNER SHOULD CONSIDER THAT THE REPAIRS TO THIS VEHICLE MAY REQUIRE SPECIFIC WELDING EQUIPMENT AND THE RESTORATION OF CORROSIVE RESISTANT COATINGS AS RECOMMENDED BY THE MANUFACTURE. FAILURE TO HAVE THE VEHICLE PROPERLY REPAIRED COULD RESULT IN A SAFETY HAZARD

 Sales • Service • Collision Repair
Russ Darrow Group
RUSS DARROW CHRYSLER-JEEP-DODGE
7676 N. 76th Street
Milwaukee, Wisconsin 53223
414-354-8338
Direct 414-362-7520
Fax 414-355-6744
chris.marquardt@russdarrow.com

Chris Marquardt
Assistant Body Shop Manager

1-888-733-6343
russdarrow.com

**CHRYSLER
JEEP
DODGE**

			3.0 SURFACE		
			1.2 EDGE		
			0.6 TWO STAGE SETUP		
			0.8 TWO STAGE		
I 0103	FENDER, FRONT	LT REPAIR			3.5*1
L 0103	FENDER, FRONT	LT REFINISH			1.6 4
			1.3 SURFACE		
			0.3 TWO STAGE		
E 0883 01	HEADLINER	0K32A68030GBT	193.16		0.4 1
RI1976 01	LAMP, OVERHEAD	R&I ASSEMBLY			INC 1
IT0640 07	PILLAR, CENTER	RT LABOR/PARTL REPAI			1.0*1
	>> RT SIDE ROOF, OUTSIDE OF DRIP MLDG				
L 0640	PILLAR, CENTER	RT REFINISH			1.2 4
			1.0 SURFACE		
			0.2 TWO STAGE		
BR0287	DOOR SHELL, REAR	LT BLEND REFINISH			1.1 4
			0.7 BLEND		
			0.4 TWO STAGE		
RI0273	W/STRIP, BELT OUTER	LT R&I ASSEMBLY			0.6 1
RI0339	MLDG, REAR DOOR SIDE	LT R&I ASSEMBLY			0.3 1
RI0307	PNL, INNER DOOR TRIM	LT R&I ASSEMBLY			0.2 1
RI0299	HANDLE, RR DOOR OUTE	LT R&I ASSEMBLY			0.2 1
E 0341	PANEL, ROOF	0K30A70601	305.53		17.7 1
L 0341	PANEL, ROOF	REFINISH			3.1 4
			2.6 SURFACE		
			0.5 TWO STAGE		
E 0337	MLDG, ROOF DRIP	LT 0K30A509L0A	24.49		INC 1
E 0338	MLDG, ROOF DRIP	RT 0K30A509H0A	24.49		INC 1
E 1206	CLIP, ROOF MLDG	LT MULTI-PART	2.34		1
E 1207	CLIP, ROOF MLDG	RT MULTI-PART	2.34		1
E 0334	REINF, ROOF	0K30A70711	93.61		1.0 1
L 0334	REINF, ROOF	REFINISH			0.4 4
			0.3 SURFACE		
			0.1 TWO STAGE		
E 0331	RAIL, ROOF SIDE	LT 0K30A71050B	75.92		2.5 1
L 0331	RAIL, ROOF SIDE	LT REFINISH			0.4 4
			0.3 SURFACE		
			0.1 TWO STAGE		
NG0369	BACK GLASS, HEATED	NAGS FB21111-GT	251.75		INC 1
E 0358	MLDG ASSY, BACK GLASS	0K30A50610F	33.07		INC 1
I 0389	PANEL, QUARTER	LT REPAIR			5.0*1
L 0389	PANEL, QUARTER	LT REFINISH			2.0 4
			1.9 SURFACE		
			0.1 TWO STAGE		
BR0390	PANEL, QUARTER	RT BLEND REFINISH			1.1 4
			1.1 BLEND		
			INC TWO STAGE		
BR0397	DOOR, FUEL FILLER	LT BLEND REFINISH			0.2 4
			0.2 BLEND		
			INC TWO STAGE		
EU0479	DECK LID ASSEMBLY	SALVAGE PART	250.00*+25.00		0.7 1
L 0479	LID, REAR DECK	REFINISH			3.2 4

ANDREW AUTOMOTIVE - BODY REPAIR CENTER

1621 W. LA SALLE ST.

MILWAUKEE, WI 53209

PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 30130-1 DATE 10/26/10

SHOP: ANDREW AUTO BODY REPAIR
ADDRESS: 1621 W. LASALLE ST.
CITY STATE: GLENDALE, WI
ZIP: 53209-

INSP DATE: 10/26/10
CONTACT: JUSTIN RUPP
PHONE 1: (414)540-2559
FAX: (414)228-7420

OWNER: WILLIAMS, DIANE
ADDRESS: 408 WEST WRIGHT STREET
CITY STATE: MILWAUKEE, WI
ZIP: 53212

HOME PHONE: (414)264-2060

POINT OF IMPACT: 0

TYPE OF LOSS: /DRV

RENTAL ASSISTED: NO

LIC#: NOT NOTED STATE: WI
BODY COLOR: GOLD
CONDITION: GOOD

VIN: KNADC125546301550
MILEAGE:
ACCTNG CTL#:

DRIVEABLE: YES
PROD.DATE: 10/03

VEH. INSP#: 3021
PAINT CODE: NOT NOTED

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

THIS IS AN INITIAL QUOTE, NOT A GUARANTEED FINAL PRICE

2004 KIA RIO STD 4DOOR SEDAN 4CYL GASOLINE 1.6
CODE: KA204A/D OPTNS B/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
N	0006		FRONT BUMPER ASSY R&I	ADDNL LABOR OPERA				1.3	1
E	0053		BULB,HALOGEN HEADLA LT	1864960556	20.42				1
EU	0083		PANEL,HOOD	SALVAGE PART	250.00	+	25.00	0.9	1
L	0083	13	PANEL,HOOD	REFINISH				5.6	4

2004 KIA RIO STD 4DOOR SEDAN
CD LOG NO 30130-1

			2.0 SURFACE	
			1.0 EDGE	
			0.2 TWO STAGE	
E 0489	N/PLATE,DECK LID	86313FD000	20.62	0.2 1
RI0483	CYL,DECK LID LOCK	R&I ASSEMBLY		INC 1
I M14	CORROSION PROTECTION	SUBLET REPAIR	5.00*	0.3*1*
ECM17	COVER CAR EXTERIOR	ECONOMY PART	5.00*	0.3*4*
ECM60	HAZARD. WSTE. REM.	ECONOMY PART	3.00*	1*

38 ITEMS

MC MESSAGE(S)

01 CALL DEALER FOR EXACT PART NUMBER / PRICE

07 STRUCTURAL PART AS IDENTIFIED BY I-CAR

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				795.99
OTHER PARTS				759.75
LINE ITEM MARKUP				125.00+
PAINT MATERIAL				646.40
PARTS & MATERIAL TOTAL				2,327.14
TAX ON PARTS & MATERIAL @			5.600%	130.32
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	24.7	11.1	1,861.60
2-MECH/ELEC	102.00			
3-FRAME	52.00			
4-REFINISH	52.00	20.2		1,050.40
5-PAINT MATERIAL	32.00			
LABOR TOTAL				2,912.00
TAX ON LABOR		@	5.600%	163.07
SUBLET REPAIRS				5.00
TAX ON SUBLET		@	5.600%	0.28
TOWING				
STORAGE				

GROSS TOTAL 5,537.81

NET TOTAL 5,537.81

SHOPLINK UG202 ES CD LOG 30130-1 DATE 10/26/10 02:25:34PM R6.37 CD 08/10

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.3 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.
AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS
ESTIMATE.



www.andrewautomotive.com

1621 W. LaSalle St.
Milwaukee, WI 53209

Justin Rupp
Asst. Bodyshop Mgr./Estimator

Phone: (414) 540-2559
Fax: (414) 228-7420

NOTICES SENT TO FOR FILE 101018:

[illegible]



Legislation Details (With Text)

File #: 101117 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relative to legislative bills.

Sponsors: THE CHAIR

Indexes: FEDERAL LEGISLATION, STATE LEGISLATION

Attachments: Agenda.pdf

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		

Number
101117
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relative to legislative bills.
Drafter
IRD
Mo
12/20/10

LEGISLATIVE HEARING CALENDAR

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, JANUARY 10, 2011 AT 1:30 PM

Room 301-B City Hall

Update on upcoming Special Session.



Legislation Details (With Text)

File #: 101134 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 12/21/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Reappointment of Paul Vornholt to serve as the Legislative Liaison Director by the Mayor.

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, INTERGOVERNMENTAL RELATIONS DIVISION

Attachments: Appointment Letter

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		

Number

101134

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Reappointment of Paul Vornholt to serve as the Legislative Liaison Director by the Mayor.

Drafter

Mayor

TB

12/21/10

December 21, 2010

To the Honorable, the Common Council
Of the City of Milwaukee

Honorable Members of the Common Council:

In accordance with the authority vested in me by Section 62.51 of the Wisconsin State Statutes, I am appointing, subject to confirmation by the Common Council, Paul Vornholt, 2123 South Woodward, Milwaukee, Wisconsin 53207, to serve in the position of Legislative Liaison Director for the City of Milwaukee

This appointment will serve at my pleasure for the duration of my term and thereafter until a successor is appointed or confirmed.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a large, stylized "T" and "B".

Tom Barrett
Mayor