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September 30, 2020

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

Re: C.I. File No. 1068-2020-1174  
Communication from: Allstate Property and Casualty Insurance Company  
by its representative Jennifer Brown on behalf of  
Rose Gomez  
Roanoke Subrogation MCO  
P.O. Box 21169  
Roanoke, VA 24018

Dear Council Members:

Allstate Property and Casualty Insurance Company alleges that on June 2, 2020 their insured sustained damages when a City tree fell onto her vehicle located at 2948 South Delaware Avenue. Claimed damages total \$5,391.40.

The Forestry Section records indicate that on June 3, 2020 they received a call regarding a broken branch down blocking the street at 2955 South Delaware Avenue. They also received a call that day, which was a duplicate service request, for 2948 South Delaware Avenue. A crew responded, found that a branch from a Norway Maple street tree had broken and landed on a vehicle at 2948 South Delaware Avenue. They removed the branch. The branch was alive with no signs of decay.

The Section notes that Milwaukee experienced peak wind speeds of 43 miles per hour and .21 inches of rain on June 2, 2020. They also reviewed their records for the last 6 years at this location for tree-related issues and found no other requests



for service. The trees in this area are on a 10 year pruning schedule and were last pruned in May 2018.

There is no evidence that the City was negligent in this matter. Therefore, we recommend that this claim be denied.

Very truly yours,



TEARMAN SPENCER  
City Attorney



KATRYNA RHODES  
Assistant City Attorney

KCR:kdb

Enclosure

c: Ian Brown (Forestry)

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