

35.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2008-0048	Claim	Claim Report
Erin McGinley communication regarding vehicle damage allegedly sustained at 2223 S. 63 St. on December 16, 2007.		
Introduced: 2/5/2008		Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAR 31 2008</u>	_____	_____	Barczak	✓			
	_____	_____	Czaplewski	✓			
	_____	_____	Dobrowski				
	_____	_____	Kopplin				
	_____	_____	Lajsic	✓			
	_____	_____	Narloek				
	_____	_____ ✓	Reinke	✓			
	_____	_____	Sengstock				
	_____	_____	Vitale				
	_____ ✓	_____	Weigel	✓			
			TOTAL	<u>5</u>	<u>-</u>		

SIGNATURE OF COMMITTEE MEMBER

[Handwritten Signature]

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAR 31 2008</u>	_____ ✓	_____	Barczak	✓			
	_____	_____	Czaplewski	✓			
	_____	_____	Dobrowski	✓			
	_____	_____	Kopplin	✓			
	_____	_____	Lajsic	✓			
	_____	_____	Narloek	✓			
	_____	_____	Reinke	✓			
	_____	_____	Sengstock	✓			
	_____	_____ ✓	Vitale	✓			
	_____	_____	Weigel	✓			
			TOTAL	<u>10</u>	<u>-</u>		



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

March 18, 2008

Common Council
City of West Allis

RE: City Attorney's Report of Claim

Dear Council Members:

The enclosed claim has been referred to this office in accordance with Section 3.05 (6)(a) of the Revised Municipal Code. This office has examined the facts of the claim and the applicable law. Our Opinion regarding liability is as follows:

It is the recommendation of this office that the following claim be placed on file:

Erin McGinley– Amount \$ 777.85

This is a claim for property damage to the claimant's vehicle on December 16th, 2007, when it was struck by a City of West Allis snowplow while legally parked in front of 2223 South 63rd Street, West Allis, WI resulting in property damage to the claimant's vehicle. On said date, a public works employee operating the snowplow attempted to go around the claimant's parked vehicle; however, the operator did not allow enough distance for clearance and struck the driver's front side of the claimant's vehicle as he maneuvered back into the lane he was plowing. The claimant obtained estimates for repair from two auto repair facilities and filed a claim against the City for repairs to her vehicle on or about January 14th, 2008.

Our investigation into this incident confirmed that the City employee was at fault for the accident by failing to keep a proper look out and failing to keep his vehicle under control, which resulted in striking a parked car. The estimates for repair were from reputable auto repair facilities and determined to be reasonable in light of the circumstances. Pursuant to settlement guidelines, the City Attorney's paid this claim in the amount stated above and obtained a Property Damage Only Release from the claimant.

Based upon the above, this claim should be placed on file.

Respectfully submitted,


Jeffrey J. Warchol
Assistant City Attorney

JJW:da

PROPERTY DAMAGE ONLY RELEASE

KNOW ALL MEN BY THESE PRESENTS that ERIN MCGINLEY, for and in consideration of Seven Hundred Seventy-seven and 85/100 Dollars (\$777.85) the receipt whereof is hereby acknowledged, do hereby forever release, acquit and discharge the City of West Allis, Wisconsin, a municipal corporation, its departments, commissions, officials, agents and employees, his, her, its or their successors and assigns and all others directly or indirectly liable, from any and all claims and demands, actions and causes of action, damages, both known and unknown, including future developments thereof, costs, loss of service and compensation on account of, or in any way growing out of, any and all known and unknown property damage resulting or to result from that certain accident on or about December 16th, 2007, when a West Allis city snow plow, while snow plowing down 63rd Street during snow plowing operations, struck a vehicle owned by Ms. McGinley, which was unoccupied and legally parked in front of 2223 South 63rd Street in the City of West Allis, Wisconsin, resulting in property damage to Ms. McGinley's vehicle.

I agree that this settlement is in full compromise of a doubtful and disputed claim both as to the question of liability and damages and that the payment is not to be construed as an admission of liability.

I agree that this is a complete release of property damage only and it is understood and agreed that it doesn't constitute a release for any bodily injury resultant from this accident as there were no bodily injuries as a result of this accident.

I further agree that this release and payment pursuant thereto is not to be construed as a waiver by or an estoppel of any party released to prosecute a claim or action against the undersigned for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

I HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. I FURTHER UNDERSTAND THAT I HAVE THE OPPORTUNITY TO DISCUSS AND NEGOTIATE THE TERMS OF THIS RELEASE WITH THE WEST ALLIS CITY ATTORNEY AND SPECIFICALLY WAIVE SUCH OPPORTUNITY.

Signed and sealed this 11th day of March, 2008.

Erin McGinley
Erin McGinley

Subscribed and sworn to before me this 11th day of March, 2008.

Darlene Adams
(DARLENE ADAMS)
Notary Public, State of Wisconsin
My Commission Expires 10/24/10

January 8, 2008

RECEIVED

JAN 14 2008

WEST ALLIS
CITY ATTORNEY

City of West Allis Common Council
7525 W. Greenfield Ave.
West Allis WI

Dear Sir(s) or Madam(s):

Enclosed you will find

1. An accident report.
2. An estimate for damage.

RECEIVED

JAN 14 2008

CITY OF WEST ALLIS
CLERK/TREASURER

At ~10:00 a.m. December 16, 2007 my car was legally parked in front of 2223 S. 63rd street, it was then noticed that the front passenger side bumper had been struck/hit during the course of the previous evening, by a City of West Allis snow plow. West Allis police were notified (see attached report).

I am therefore formally requesting \$777.85 to cover the cost of the damage (see estimate).

Thank You for your attention,

Erin McGinley

3871 E ARMOUR • CUDAHY • 53310
PHONE: 414-727-9018

cc: Athy

Copies Made 12-28-07

POLICE # 07060823

ACCIDENT # A07121602

GENERAL INFORMATION

<input type="checkbox"/> Reportable Accident	<input type="checkbox"/> On Emergency	<input type="checkbox"/> Amended	DOT Document Number BRRFRCV		Document Over
Agency Accident Number A07121602			Police Number 07060823		
4 - Accident Date 12/16/2007	5 - Time of Accident (Military Time) 0000	6 - Total Units 02	7 - Total Injured 00	8 - Total Killed 00	
2 - County MILWAUKEE - 40		3 - Municipality WEST ALLIS - 60, CITY		11 - Accident Location NON-INTERSECTION	
14 - On Hwy No.	14 - On Street Name 63RD ST S	14 - Bus/Fm/Rmp	15 - Est. Dist 100	FvMi F	15 - Hwy. Dir SOUTH
16 - Fr/At Hwy No.	16 - From/At Street Name GRANT ST W	16 - Business/Frontage/Ramp			
17 - Structure Type HOUSE #	17 - Structure Number 2233	12 - Latitude		13 - Longitude	
80 - First Harmful Event PARKED MOTOR VEHICLE			93 - Manner of Collision NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT		
112 - Access Control NO CONTROL	113 - Road Curvature STRAIGHT	113 - Road Terrain LEVEL/FLAT	Surface Type CONCRETE		
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)					
117 - Relation To Roadway ON-ROADWAY					
114 - Light Condition DAYLIGHT		116 - Road Surface Condition SNOW/SLUSH		118 - Weather CLEAR	
<input checked="" type="checkbox"/> Hit and Run	<input type="checkbox"/> Government Property	<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Photos Taken	<input type="checkbox"/> Trailer or Towed	
<input checked="" type="checkbox"/> Truck Or Bus	<input type="checkbox"/> Load Spillage	<input type="checkbox"/> Construction Zone	<input checked="" type="checkbox"/> Names Exchanged		
<input type="checkbox"/> Supplemental Reports	<input type="checkbox"/> Witness Statements	<input type="checkbox"/> Measurements Taken		79 - E M S Number	

JAN 14 2008

WEST ALLIS CITY ATTORNEY

RECEIVED

Operator/Pedestrian

Unit Status		81 - Most Harmful Event: Collision With PARKED MOTOR VEHICLE		23 - Dir Of Travel SOUTH	24 - Speed Limit 25
36 - Operating as Classified B CLASS		37 - Endorsements		<input checked="" type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver's License Number K5225106710506		30 - State WI	31 - Expiration Year 2015	34 - On Duty Accident WINTER-HWY-MAINTENANCE	
25 - Operator/Pedestrian Last Name KANGAS		25 - First Name KENNETH		25 - Middle Initial J	25 - Suffix
32 - Date Of Birth 03/25/1967	33 - Sex MALE				
26 - Address Street & Number 1412 W ROAD				26 - PO Box	
27 - City STURTEVANT		27 - State WI	27 - Zip Code 53177	28 - Telephone Number (262) 884-7536 EXT.	
39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)			40 - Safety Equipment RESTRAINT-USE-UNKNOWN		
38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NOT APPLICABLE	42 - Ejected NOT-EJECTED	44 <input type="checkbox"/> Medical Transport	
43 - Trapped/Extricated NOT-TRAPPED		92 - Pedestrian Location	92 - Pedestrian Action		
119 - What Driver Was Doing CHANGING-LANES		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.	64 - 5th Statute No.	
122 - Driver Factors NOT-APPLICABLE					
88 - Driver or Pedestrian Factors NOT OBSERVED		89 - Substance Presence UNKNOWN			
90 - Alcohol Test TEST NOT GIVEN		90 - Alcohol Content		91 - Drug Test TEST-NOT-GIVEN	

OPERATOR/PEDESTRIAN 01

X
/

CS

91 - Drugs Reported
124 - Highway Factors SNOW,-ICE,-OR-WET

Vehicle

VEHICLE 01	21 - Unit Type TRUCK	Vehicle Type SNOW-PLOW				22 - Total Occupants 1
	56 - License Plate Number 49597	57 - Plate Type MUN	58 - State WI	59 - Exp Year	55 - Vehicle Identification Number 1NPZHD81VD710543	
	50 - Year 1997	51 - Make PTRB	52 - Model GARBAGE	53 - Body Style TRUCK	54 - Color YEL	100 - Skidmarks to Impact (Ft) 0
	94 - Vehicle Damage REAR PASSENGER SIDE					
	95 - Extent Of Damage NONE	96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR		
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 01	45 <input type="checkbox"/> Vehicle Owner Same As Operator					
	46 - Vehicle Owner Last Name		46 - First Name		46 - Middle Initial	46 - Suffix
	46 - Company Name CITY OF WEST ALLIS					
	47 - Address Street & Number 7525 W GREENFIELD AVE			47 - PO Box		
	48 - City WEST ALLIS		48 - State WI	48 - Zip Code 53214		49 - Telephone Number (414) 302-8200 EXT.

Insurance

INS 01	63 - Liability Insurance Company CITIES-&-VILLAGES-MUTUAL-INS-CO				60 <input type="checkbox"/> Policy Holder Same As Owner	
	61 - Policy Holder Last Name		61 - Policy Holder First Name			
	61 - Policy Holder Company					

School Bus

BUS 01	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Operator/Pedestrian

Unit Status L - LEGALLY PARKED		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT		23 - Dir Of Travel	24 - Speed Limit 25
36 - Operating as Classified D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver's License Number		30 - State	31 - Expiration Year	34 - On Duty Accident	
25 - Operator/Pedestrian Last Name		25 - First Name		25 - Middle Initial	25 - Suffix
32 - Date Of Birth		33 - Sex			

OPERATOR/PEDESTRIAN 02	26 - Address Street & Number				26 - PO Box	
	27 - City		27 - State	27 - Zip Code		28 - Telephone Number
	39 - Seat Position BLANK			40 - Safety Equipment NOT-APPLICABLE-NONMOTORIST		
	38 - Injury Severity		41 - Airbag NOT APPLICABLE	42 - Ejected NOT-APPLICABLE		44 <input type="checkbox"/> Medical Transport
	43 - Trapped/Extricated NOT-APPLICABLE		92 - Pedestrian Location		92 - Pedestrian Action	
	119 - What Driver Was Doing LEGALLY-PARKED		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
	64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.		64 - 5th Statute No.
	122 - Driver Factors NOT-APPLICABLE					
	88 - Driver or Pedestrian Factors		89 - Substance Presence			
	90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE			Vehicle Type PASSENGER-CAR			22 - Total Occupants 0	
	56 - License Plate Number 903JUS		57 - Plate Type AUT	58 - State WI	59 - Exp Year 2008	55 - Vehicle Identification Number 1G4HP52K8VH539450		
	50 - Year 1997	51 - Make BUIC	52 - Model LESABRE	53 - Body Style 4 DOOR		54 - Color GRY	100 - Skidmarks to Impact (Ft) 0	
	94 - Vehicle Damage FRONT DRIVER SIDE							
	95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage			97 - Vehicle Removed By OWNER		
	123 - Vehicle Factors NOT-APPLICABLE							

Vehicle Owner

VEH OWNER 02	45 <input type="checkbox"/> Vehicle Owner Same As Operator					
	46 - Vehicle Owner Last Name MCGINLEY		46 - First Name ERIN		46 - Middle Initial E	46 - Suffix
	46 - Company Name					
	47 - Address Street & Number 2221 S 63 ST			47 - PO Box		
	48 - City WEST ALLIS		48 - State WI	48 - Zip Code 53219		49 - Telephone Number (414) 727-9018 EXT.

Insurance

INS 02	63 - Liability Insurance Company NOT-REQUIRED		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name	61 - Policy Holder First Name	
	61 - Policy Holder Company		

School Bus

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Diagram and Narrative

DIAGRAM AND NARRATIVE	105 - PHOTOS BY DOUG BARTELS
	<p style="text-align: center;">S. 63 St.</p> <p>2223 Vehicle 2</p> <p>Vehicle 1</p>
UNIT #2 WAS LEGALLY PARKED IN FRONT OF 2223 S. 63 ST. WHEN IT WAS STRUCK BY UNIT #1. UNIT #1 IS A CITY OF WEST ALLIS GARBAGE TRUCK THAT WAS SNOW PLOWING.	

Officer Information

OFFICER INFORMATION	125 - Officer Last Name SOPA	125 - First Name MARK	125 - Middle Initial	131 - Officer ID 1225
	129 - Law Enforcement Agency No. 4116	130 - Law Enforcement Agency Name WEST ALLIS POLICE DEPARTMENT		
	126 - Law Enforcement Agency Address Street & Number 11301 WEST LINCOLN AVENUE			
	127 - City WEST ALLIS	127 - State WI	127 - Zip Code 53227	128 - Telephone Number (414) 302-8000 EXT.
	132 - Date Notified 12/16/2007	133 - Time Notified (Military Time) 1016	134 - Time Arrived (Military Time) 1024	135 - Date Of Report 12/16/2007
	Agency Accident Number A07121602	Police Number 07060823	19 - Special Study	
	18 - Agency Space			

Truck and Bus

136 <input checked="" type="checkbox"/> A truck with at least two axles and six tires	136 <input type="checkbox"/> A truck with a hazardous materials placard
--	--

TRUCK/BUS

136 <input type="checkbox"/> A bus designed to carry 16 or more persons, including the driver						
136 <input type="checkbox"/> Fatal Injury		136 <input type="checkbox"/> Medical Transport		136 <input type="checkbox"/> Towed		
Unit Number						
137 - Hazardous Materials Class Numbers						
137 - Hazardous Materials "UN" Nos.			Hazardous Material Placard Displayed <input type="checkbox"/>		Hazardous Cargo Was Released <input type="checkbox"/>	
137 - Name Of Hazardous Materials in this Load				137 - Name Of Hazardous Materials Released		
138 Interstate Carrier <input type="checkbox"/>		140 - US DOT No.	140 - ICC MC No.	LC No.	IC No.	141 - Source
139 - Carrier Name						
142 - Carrier Address				City		State
Zip Code						
143 - GVWR (Lbs)		144 - Total No. of Axles		145 - Vehicle Configuration		147 - Cargo Body Type
146 - First Event				146 - Second Event		
146 - Third Event				146 - Fourth Event		

MAACO COLLISION REPAIR & AUTO PAINTING
 4128 SOUTH 13TH STREET
 MILWAUKEE, WI 53221
 PHONE: 414-282-4567 FAX: 414-282-7177

RECEIVED
 JAN 14 2008
 WESTALLIS
 CITY ATTORNEY

CD LOG NO 2132-1 DATE 12/26/07

SHOP: INSP DATE: 12/26/07
 CONTACT: BUDDY
 OWNER: MCGINLEY, ERIN HOME PHONE: (414)727-9018
 ADDRESS: 3871 E. ARMOUR
 CITY STATE: CUDAHY, WI
 ZIP: 53110

POINT OF IMPACT: 4

DAYS TO REPAIR: 3

LIC#: 903-JUS STATE: WI VIN: 1G4HP52K8VH539450
 BODY COLOR: BROWN MILEAGE:
 CONDITION: GOOD ACCTNG CTL#:
 DRIVEABLE: YES VEH. INSP#:

*=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

1997 BUICK LE SABRE CUSTOM 4DOOR SEDAN 6CYL GASOLINE 3.8
 CODE: S4333A/B OPTNS A/24DE

OPTIONS:
 TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 POWER DOOR LOCKS ANTI-LOCK BRAKE SYSTEM

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
PC	0006		COVER, FRONT BUMPER	PXN RECONDITIONED	256.00			3.5	1
L	0006	13	COVER, FRONT BUMPER	REFINISH				3.6	4
EP	0055		MLDG, FRT BUMPER COV	LT ECONOMY PART	17.00			INC	1
E	M03		FLEX ADDITIVE	NEW PART	5.00*				4
E	M17		COVER CAR EXTERIOR	NEW PART	5.00*				4
E	M60		HAZARD. WSTE. REM.	NEW PART	5.00*				1

6 ITEMS

1997 BUICK LE SABRE CUSTOM 4DOOR SEDAN
CD LOG NO 2132-1

MC MESSAGE(S)
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				15.00
OTHER PARTS				273.00
PAINT MATERIAL				93.60
PARTS & MATERIAL TOTAL				381.60
TAX ON PARTS & MATERIAL @			5.600%	21.37
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	50.00	3.5		175.00
2-MECH/ELEC	96.00			
3-FRAME	65.00			
4-REFINISH	50.00	3.6		180.00
5-PAINT MATERIAL	26.00			
LABOR TOTAL				355.00
TAX ON LABOR		@	5.600%	19.88
SUBLET REPAIRS				
TOWING				
STORAGE				
GROSS TOTAL				777.85
NET TOTAL				777.85

SHOPLINK UU171 ES CD LOG 2132-1 DATE 12/26/07 02:38:37PM R6.37 CD 11/07
PXN: Y/02/02/00/00/00 CUM 02/02/00/00/00 GEOCODE 53221
HOST LOG

(C) 1998 - 2007 AUDATEX NORTH AMERICA, INC.

1.1 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

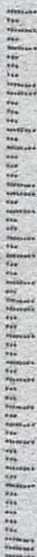
ERIN MCGINLEY
3871 E. ARMOUR AVE.
LUDWIG W1 53110

PAID
10 JAN 2009 PM 5 T



WEST ALLIS CITY HALL
7525 W. GREENFIELD AVE.
WEST ALLIS, WI
53214

53214+0268





CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziebler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

January 17, 2008

Erin McGinley
3871 E. Armour
Cudahy, WI 53110

Dear Ms. McGinley:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained at 2223 S. 63 St. on December 16, 2007.

The original document will be submitted to the Common Council at its meeting of February 5, 2008.

It is not anticipated that a decision regarding this matter will be made on this date. Generally, all communications are directed to the City Attorney's office for investigation. Common Council action regarding your communication will not be taken until the City Attorney's investigation is completed. Any questions you may have regarding this matter should be directed to their attention.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn

cc: City Attorney



City of West Allis

Referral Notice

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

To: City Attorney
From: Common Council
Date: Tuesday, February 5, 2008

The following items are being referred to you for your review and response. Special instructions may follow each item. Please contact the City Clerk if you cannot respond by the due date listed.

2008-0048 Erin McGinley communication regarding vehicle damage allegedly sustained at 2223 S. 63 St. on December 16, 2007.

Due Date:
Instructions:

RECEIVED
FEB 7 2008
WEST ALLIS
CITY ATTORNEY

If there are any questions concerning this notice, please direct them to the CITY CLERK.



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

March 19, 2008

Common Council
City of West Allis

RE: City Attorney's Report of Claims/Lawsuits

Dear Council Members:

The enclosed claims/lawsuits have been referred to this office in accordance with Section 3.05 (6)(a) of the Revised Municipal Code. This office has examined the facts of each claim/lawsuit and the applicable law. Our Opinion regarding liability is attached to each claim/lawsuit.

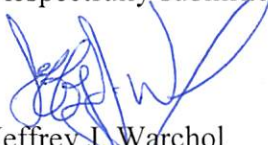
The following claims/lawsuits have been placed on file:

Erin McGinley (\$777.85)
Corey Brozovich (\$3,435.66)

The following claims/lawsuits have been denied:

Sarah J. Lerand (\$549.89)
Paul Martens (\$2,120.00)
Juro J. Gajdosik (Assessment Removal)

Respectfully submitted,



Jeffrey J. Warchol
Assistant City Attorney

JJW:da
Enclosures

cc: Thomas E. Mann, CVMIC