

10.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

2009-0727 Communication Introduced

Communication from the City Attorney regarding the settlement of the Gerald Bohmann v. Erie Insurance, et al. litigation, Case No. 08-CV-003045.

Introduced: 11/17/2009

Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:
NOV 17 2009

MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
_____	_____	Barczak				
_____	_____	Czaplewski				
<i>X</i>	_____	Kopplin	<i>✓</i>			
_____	_____	Lajsic	<i>✓</i>			
_____	<i>X</i>	Narlock	<i>✓</i>			
_____	_____	Reinke				
_____	_____	Roadt	<i>✓</i>			
_____	_____	Sengstock				
_____	_____	Vitale	<i>✓</i>			
_____	_____	Weigel				

TOTAL 5

SIGNATURE OF COMMITTEE MEMBER

Kurt E. Kopplin
Chair

Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>NOV 17 2009</u>	<i>✓</i>	_____	Barczak	<i>✓</i>			
	_____	_____	Czaplewski	<i>✓</i>			
	_____	_____	Kopplin	<i>✓</i>			
	_____	_____	Lajsic	<i>✓</i>			
	_____	<i>✓</i>	Narlock	<i>✓</i>			
	_____	_____	Reinke	<i>✓</i>			
	_____	_____	Roadt	<i>✓</i>			
	_____	_____	Sengstock	<i>✓</i>			
	_____	_____	Vitale	<i>✓</i>			
	_____	_____	Weigel	<i>✓</i>			

TOTAL 10



November 5, 2009

Common Council
City of West Allis

RE: *Gerald Bohmann v. Erie Insurance, et al.*
Milwaukee County Case No. 08-CV-003045

Dear Mayor and Alderpersons:

This is a case involving retired police officer Gerald Bohmann who was injured in an automobile accident. The City was involved in the case due to the payment of medical benefits. The City paid approximately \$60,000.00 in medical benefits that were, at least arguably, tied to the accident. The issue of whether Mr. Bohmann was injured in the accident and to what extent was the key issue in the case. The lawyers for the defense took the position that the claimed injuries were well in excess of what would have resulted from such a minor collision and that the injuries were pre-existing the accident. Given the circumstances, each insurance company offered \$50,000.00 for a total of \$100,000.00. The City agreed to accept \$10,000.00 in payment of its subrogated interest in the medical bills. The Administration and Finance Committee approved this settlement on November 3rd, 2009.

This matter may now be considered closed. Please feel free to contact me if you have any additional questions regarding this matter.

Sincerely,

Scott E. Post
City Attorney

SEP:da
H/Scott/Corr/CC-G Bohmann Case-Closed