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March 14, 2019

West Allis Common Council
7525 West Greenfield Avenue
West Allis, WI 53214

RE: Claims Report – Peter Troia and American Family Insurance

Dear Common Council:

The above claim was referred to this office in accordance with Section 3.05(8) of the Revised Municipal Code. After gathering evidence related to the circumstances of the claim, our office recommends disallowing this claim.

On April 6, 2017, a city-owned garbage truck travelling south on Root River Parkway and a privately-owned Mercury Milan traveling east on Oklahoma Avenue collided. Both drivers stated that they had a green light at the time of the accident. The owner of the Milan sustained injuries and significant property damage to the vehicle. The city sustained minor property damage to its vehicle and the city employees in that vehicle were uninjured. The owner of the Milan filed a claim for damages for injuries (\$5,092.89) and pain and suffering (\$10,000). The vehicle owner's insurance company claimed damage to property for the value of the car which was a total loss (\$6,907.01). The total amount of damages claimed is \$21,999.90.

Our office recommends disallowance of this claim because the physical evidence of the accident indicates that the owner of the Milan proceeded into the intersection at full speed against a red light and was at fault for the accident. For more information regarding the nature of our legal analysis, one of our attorneys will be available on March 19 to discuss this matter in closed session.

For additional information on any of the above-reference claims, please do not hesitate to contact our office.

Sincerely,

Kail Decker
City Attorney

cc: City Clerk