



OFFICE OF CORPORATION COUNSEL

Milwaukee County

1

JOHN F. JORGENSEN
Acting Corporation Counsel

MARK A. GRADY
Acting Deputy Corporation Counsel

JOHN E. SCHAPEKAHM
TIMOTHY R. KARASKIEWICZ
JEANEEN J. DEHRING
ROY L. WILLIAMS
COLLEEN A. FOLEY
LEE R. JONES
MOLLY J. ZILLIG
Principal Assistant
Corporation Counsel

DATE: April 26, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark Grady, Deputy Corporation Counsel

SUBJECT: Claim filed by: Country Financial
P.O. Box 2100, Bloomington, IL 61702

Their Insured: Robert Sturomski

Date of Loss: February 2, 2011

On February 2, 2011, a Milwaukee County plow operator was performing routine winter maintenance when the plow struck the rear of the 2004 Chevy pick-up that was stranded in the heavy snowstorm. The Chevy pick-up was parked in the far right lane of Forest Home Avenue near 104th Street. The plow truck failed to properly negotiate around the stranded vehicle. Damage was located on the left side of the truck bed, bed cap, and tailgate.

Country Financial completed the appraisal on damages in the amount of \$5,104.00. The labor charge of \$54 per hour is reasonable and customary. However, County Mutual was able to reach an agreed settlement in the amount of 85% or \$4,338.40 with Country Financial due to the vehicle being illegally parked.

It is the opinion of County Mutual's adjustor that we settle this claim for an amount not to exceed \$4,338.40. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time we will appear seeking approval of the agreement. Thank you.

MAG/kpe

Cc: Linda Durham
Jennifer Mueller
Barb Pariseau



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Principal Assistant
Corporation Counsel

DATE: April 26, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark Grady, Deputy Corporation Counsel

SUBJECT: Claim filed by: Geico
4295 Ocmulgee East Blvd.
4296 Macon, GA 31295

Date of Loss: September 23, 2010

Date Claim Filed: January 3, 2011

On September 23, 2010, a Milwaukee County Parks' employee was operating a 1996 Chevy Truck traveling westbound on W. Wisconsin Ave. when he failed to stop for a red light. The Park's employee entered into the intersection and struck the passenger rear side of a 2009 Nissan Sentra. The vehicle that was struck was owned and operated by Glenn Kirby. Mr. Kirby's vehicle was traveling northbound on N. 26th St. and had traveled through eastbound lanes of W. Wisconsin Ave. and one westbound lane when struck by the Park's employee.

The vehicle was repaired and damages were paid by the Mr. Kirby's insurance company, Geico, in the amount of \$3,932.66. The County Mutual's insurance adjuster recommends that we settle the property damage portion of this claim for \$3,932.66. This amount includes Mr. Kirby's deductible of \$1,000.00. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time we will appear seeking approval of the agreement. Thank you.

MAG/kpe

Cc: Linda Durham
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MOLLY J. ZILLIG
Principal Assistant
Corporation Counsel

DATE: April 26, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark Grady, Deputy Corporation Counsel

SUBJECT: Claim filed by: Dawn Emer
3330 E. College Ave, Unit 1
Cudahy, WI 53110

Date of Loss: January 11, 2011

On January 11, 2011, a Milwaukee County plow operator was traveling eastbound on Good Hope Road performing routine winter maintenance when the plow driver passed Dawn Emer's vehicle on the right and unknowingly got too close to her vehicle. The left wing on the plow sideswiped Ms. Emer's vehicle as it passed by.

The vehicle was a 2008 Chevy Equinox. Damage was located on the entire right side of the vehicle. Written into the appraisal are the two right doors and quarter panel. It was necessary to remove and install the rear bumper as well during the repairs.

County Mutual obtained an appraisal and agreed on a price with Carstar Affordable Auto Body, Cudahy, WI in the amount of \$2,849.33. Ms. Emer was also in need of a rental vehicle for 21-days at a rate of \$29.99 per day plus tax during the repairs.

It is the recommendation of County Mutual's adjustor that we settle this claim for an amount not to exceed \$3,525.70. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time we will appear seeking approval of the agreement. Thank you.

MAG/kpe

Cc: Linda Durham
Jennifer Mueller
Barb Pariseau



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Principal Assistant
Corporation Counsel

DATE: April 26, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark Grady, Deputy Corporation Counsel

SUBJECT: Claim filed by: G4S Secure Solutions
633 W. Wisconsin Ave., Suite 593
Milwaukee, WI 53203

Date of Loss: January 25, 2011

On January 25, 2011, a G4S Secure Solutions bus was being utilized for the Milwaukee County Inmate Transportation project. As the bus was leaving the CCF-South Facility sally port, the sally port gate was closed prior to allowing the bus to clear the exit. The gate scratched and dented the side of the bus and separated the rear bumper.

The work order submitted by G4S is in the amount of \$1,512.45. The majority of this invoice is related to labor charges (\$85 per hour x 15 hours = \$1,275).

It is the recommendation of County Mutual's adjustor that we settle this claim for an amount not to exceed \$1,512.45. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time we will appear seeking approval of the agreement. Thank you.

MAG/kpe

Cc: Linda Durham
Jennifer Mueller
Barb Pariseau



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Principal Assistant
Corporation Counsel

DATE: April 28, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark A. Grady, Acting Deputy Corporation Counsel

SUBJECT: Claim filed by: Jacqueline Hawkins
Milwaukee, WI

Date Claim Filed: May 10, 2010

On February 4, 2010, a Milwaukee County employee was operating a county owned 1998 GMC Sierra Pick-up truck with a front blade. The county employee was stopped behind the crosswalk on 35th at W. North Ave. at a red light. As he proceeded to make a right turn off of 35th onto W. North Ave., he did not see the Ms. Hawkins stepping off of the curb into the walkway on 35th Street. The passenger front corner of the blade hit Ms. Hawkins on the knee. The county employee received a citation for "Failure to Yield Right of Way to a Pedestrian."

Jacqueline Hawkins was transported by Curtis Ambulance to Sinai Hospital with left leg pain. She was treated and released with the diagnosis of a left leg contusion. Ms. Hawkins has attended physical therapy at Milwaukee Physical Medicine, S.C., she started shortly after the accident in February and received treatment until April 29, 2010. Ms. Hawkins incurred \$5,031.08 in medical expenses for treatment. Attorney Kelin Olson is representing Ms. Hawkins.

It is the recommendation of County Mutual's adjustor that we settle this claim for an amount not to exceed \$9,000.00. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee so that it may be placed on the agenda for its next meeting. At that time Corporation Counsel will appear and seek the committee's recommendation that the County Board approve the payment of \$9,000.00 to Jacqueline Hawkins in full settlement of all claims arising out of the February 4, 2010 accident. Thank you.

MAG/kpe

Cc: Linda Durham

RESOLUTION

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2
3
4 Re: Claim filed by: Jacqueline Hawkins
5 Date Claim Filed: May 10, 2010
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7

8 WHEREAS, on February 4, 2010, a Milwaukee County employee was operating a county owned
9 1998 GMC Sierra Pick-up truck with a front blade, and,
10

11 WHEREAS, the county employee was stopped behind the crosswalk on 35th at W. North Ave. at
12 a red light. As he proceeded to make a right turn off of 35th onto W. North Ave., he did not see
13 Ms. Hawkins stepping off of the curb into the walkway on 35th Street., and,
14

15 WHEREAS, the passenger front corner of the vehicle's blade hit Jacqueline Hawkins on the
16 knee, and,
17

18 WHEREAS, Jacqueline Hawkins was transported by Curtis Ambulance to Sinai Hospital with
19 left leg pain. She was treated and released with the diagnosis of a left leg contusion. Ms.
20 Hawkins attended physical therapy at Milwaukee Physical Medicine, S.C., she started shortly
21 after the accident in February and received treatment until April 29, 2010, and,
22

23 WHEREAS, Jacqueline Hawkins incurred \$5,031.08 in medical expenses for treatment of her
24 injuries, and,
25

26 WHEREAS, Jacqueline Hawkins is represented by Attorney Kelin Olson, and,
27

28 WHEREAS, County Mutual's insurance adjustor recommends settlement of all claims by
29 Jacqueline Hawkins for \$9,000.00 and Corporation Counsel recommends such payment, and,
30

31 WHEREAS, the Committee on Judiciary, Safety and General Services at its meeting on May 12,
32 2011 voted (_____) to recommend the payment as proposed; now,
33

34 BE IT RESOLVED, that Milwaukee County approves the payment of \$9,000.00 to Jacqueline
35 Hawkins in return for a full release of all claims arising out of the February 4, 2010 accident.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 28, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Claim filed by Jacqueline Hawkins

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	0.00	0.00
	Revenue	0.00	0.00
	Net Cost	0.00	0.00
Capital Improvement Budget	Expenditure	0.00	0.00
	Revenue	0.00	0.00
	Net Cost	0.00	0.00

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

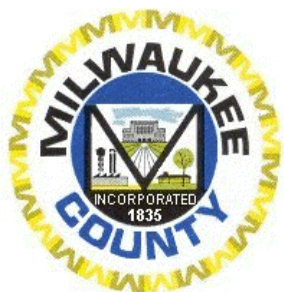
Payment of this claim will result in the amount of \$9,000.00 being applied to Milwaukee County's deductible with the Wisconsin Mutual Insurance Corporation.

Department/Prepared By Corporation Counsel

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.



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Corporation Counsel

DATE: April 26, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Mark Grady, Deputy Corporation Counsel

SUBJECT: Claim filed by: Glenn Kirby
2024 W. Vliet St.
Milwaukee, WI

Date of Loss: September 23, 2010

On September 23, 2010, a Milwaukee County Parks' employee was operating a 1996 Chevy Truck traveling westbound on W. Wisconsin Ave. when he failed to stop for a red light. The Park's employee entered into the intersection and struck the passenger rear side of a 2009 Nissan Sentra. The vehicle that was struck was owned and operated by Glenn Kirby. Mr. Kirby's vehicle was traveling northbound on N. 26th St. and had traveled through eastbound lanes of W. Wisconsin Ave. and one westbound lane when struck by the Park's employee.

Mr. Kirby is represented by Ricardo Estrada, with Sperling Law Offices, LLC, 100 East Wisconsin Ave., Suite 1020, Milwaukee, WI 53202. Glenn Kirby was taken by Curtis Ambulance Service to St. Joseph's Hospital. He had one follow-up appointment five days later on September 29, 2010 at Omni Medical Clinic. The visit was due to continued neck and lower back pain. He was at that time referred by Dr. Adedapo Okusanya for physical therapy at Wheaton Franciscan Rehabilitation Services.

Mr. Kirby had four physical therapy appointments from October 1, 2010 through October 11, 2010.

SPECIALS:

Curtis Ambulance Service:	\$527.00
St. Joseph's Hospital:	\$948.20
Omni Medical Clinic:	\$189.00
Wheaton Franciscan:	\$1704.00
<hr/>	
Total:	\$3368.20

Chairman Lee Holloway
Judiciary Committee Memo
April 26, 2011
Page 2 of 2

It is the recommendation of the County Mutual's adjustor that we settle the bodily injury portion of this claim for an amount not to exceed \$7,500. Both the county's insurance company and Corporation Counsel support this agreement.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. At that time we will appear seeking approval of the agreement. Thank you.

MAG/kpe

Cc: Linda Durham
Jennifer Mueller
Barb Pariseau

RESOLUTION

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2
3
4 Re: Claim filed by: Glenn Kirby
5 Date Claim Filed: January 3, 2011
6
7

8 WHEREAS, on September 23, 2010, Milwaukee County Parks' employee was operating a 1996
9 Chevy Truck, and,
10

11 WHEREAS, the Park's employee was traveling westbound on W. Wisconsin Ave. when he
12 failed to stop for a red light and entered into the intersection and struck the passenger rear side of
13 a 2009 Nissan Sentra, and,
14

15 WHEREAS, the vehicle that was struck was owned and operated by Glenn Kirby. Mr. Kirby's
16 vehicle was traveling northbound on N. 26th St. and had traveled through eastbound lanes of W.
17 Wisconsin Ave. and one westbound lane when struck by the Park's employee, and,
18

19 WHEREAS, Mr. Kirby is represented by Ricardo Estrada, with Sperling Law Offices, LLC, and,
20

21 WHEREAS, Glenn Kirby was taken by Curtis Ambulance Service to St. Joseph's Hospital. He
22 received emergency treatment and follow-up treatment for neck and back injuries through
23 October 11, 2010, incurring medical charges totaling \$3,368.20 and,
24

25 WHEREAS, County Mutual's insurance adjustor recommends settlement of all claims by Glenn
26 Kirby for bodily injury for \$7,500.00 and Corporation Counsel recommends such payment, and,
27

28 WHEREAS, the Committee on Judiciary, Safety and General Services at its meeting on May 12,
29 2011 voted (_____) to recommend the payment as proposed; now,
30

31 BE IT RESOLVED, that Milwaukee County approves the payment of \$7,500.00 to Glenn Kirby
32 in return for a full release of all bodily injury claims arising out of the September 23, 2010 motor
33 vehicle accident.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: April 26, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Claim filed by Glenn Kirby

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
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(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
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	Net Cost	0.00	0.00

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- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Payment of this claim will result in the amount of \$7,500.00 being applied to Milwaukee County's deductible with the Wisconsin Mutual Insurance Corporation.

Department/Prepared By Corporation Counsel

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.