

**RESOLUTION 2022-44**

**(06-07-22)**

**RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY,  
AND LEGAL COMMITTEE DENYING THE CLAIM OF STATE FARM FIRE  
AND CASUALTY (as subrogee of Kathleen Lui)**

WHEREAS, State Farm Fire and Casualty (as subrogee of Kathleen Lui) has filed a claim with the Village for damage to vehicle sustained in a collision with a Village snowplow on 1/6/22; and

WHEREAS, the Board has reviewed the claim and based on the recommendation of the Village's Insurance Company that there was no negligence on the part of the Village and finds that the claim should be denied.

NOW THEREFORE, the Village Board of the Village of Sturtevant, Racine County, Wisconsin does hereby resolve:

1. That the claim of State Farm Fire and Casualty (as subrogee of Kathleen Lui) for damage to vehicle sustained in a collision with a Village snowplow on 1/6/22, be and is hereby denied.
2. That the Village Administrator shall send a copy of this denial to State Farm Fire and Casualty (as subrogee of Kathleen Lui) and that said denial shall include an advisory to the effect that:  
No action may be brought against the Village of Sturtevant in regard to this claim after six months from the date of service of this notice upon you, pursuant to Section 893.80(1g) of the Wisconsin Statutes.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 7<sup>th</sup> day of June 2022.

Village of Sturtevant

By   
Michael Rosenbaum, President

Attest   
Cheryl Zamecnik, Village Clerk

**Statewide Services, Inc.**

Claim Division

1241 John Q. Hammons Dr.  
P.O. Box 5555  
Madison, WI 53705-0555  
877-204-9712

May 3, 2022

Village of Sturtevant  
Attn: Amanda Gain  
2801 89<sup>th</sup> St.  
Sturtevant, WI 53177

Program: League of Wisconsin Municipalities Mutual Insurance  
Our Insured: Village of Sturtevant  
Date of loss: 1/05/2022  
Our Claim # WM000511810055  
Claimant: State Farm Fire and Casualty (as subrogee of Kathleen Lui)  
Attn: Subrogation Services  
PO Box 106172  
Atlanta, GA 30348

Dear Ms. Gain,

Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which insures the Village of Sturtevant. We are in receipt of the Subrogation claim submitted by State Farm for damage its insured vehicle sustained in a collision with a Village snowplow on 1/6/22.

We have reviewed the matter and recommend that the Village of Sturtevant deny this claim pursuant to the Wisconsin statute for disallowance of claim 893.80(1g). The disallowance will shorten the statute of limitations period to six (6) months.

Our denial is based on the fact that the investigation revealed no liability on behalf of the Village. The claimant vehicle was the proximate cause of this collision due to a failure of proper lookout while backing.

Please submit the disallowance directly to the claimant at the above address. Please reference State Farm claim number 49-29D5-63P on the disallowance letter. The disallowance should be sent certified or registered mail and must be received by the claimant within 120 days after you receive Notice of Claim. Please send a copy of the disallowance to Statewide Services Inc. Claims, for our records.

Thank you,

Sarah Bourgeois, AIC, AINS  
Claims Rep. II  
Statewide Services Inc.  
PO Box 5555  
Madison, WI 53705-0555  
608-828-5439 Phone  
800-854-1537 Fax  
[sbourgeois@statewidesvcs.com](mailto:sbourgeois@statewidesvcs.com)

CC: R&R Insurance Services

**NOTICE OF DISALLOWANCE OF  
CLAIMS OF MS. KATHLEEN LUI  
AGAINST MUNICIPALITY OF STURTEVANT**

TO: State Farm Fire & Casualty  
Attn: Subrogation Services  
PO Box 106172  
Atlanta, GA 30348

State Farm Claim Number 49-29D5-63P  
Claimant: State Farm as subrogee of Kathleen Lui

**PLEASE TAKE NOTICE** that on the 7<sup>th</sup> of June, 2022, the Board of Trustees of the Village of Sturtevant, a municipal subdivision in Racine County, Wisconsin, denied the claims of Kathleen Lui against the Village of Sturtevant, dated the 21<sup>st</sup> of April, 2022 for the incident occurring on the 5<sup>th</sup> of January, 2022.

You are notified pursuant to Wis. Stat. 893.80(1g) that no action on the above claims may be brought after six (6) months from the date of service of this Notice of Disallowance upon you.

Dated this 8th of June, 2022

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(Signature of Representative of the Municipality)