



1 **City of Racine, Wisconsin**
2 **Common Council**

3 **AGENDA BRIEFING MEMORANDUM**

4 **COMMITTEE: Finance and Personnel**

LEGISLATION ITEM #: 0644-23

5 **AGENDA DATE: July 10, 2023**

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7 **DEPARTMENT: City Attorney's Office**

8 **Prepared By: Deputy City Attorney Marisa Roubik**

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10 **SUBJECT:** Communication sponsored by Alder West on behalf of the City Attorney's Office submitting
11 the claim of Country Preferred Insurance Company a.k.a. Country Financial, by its attorneys Ditchey
12 Geiger, LLC, on behalf of the insured, Roy Lee Pritchett III, for consideration for disallowance.

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14 **EXECUTIVE SUMMARY:**

15 Country Preferred Insurance Company a.k.a. Country Financial, by its attorneys Ditchey Geiger,
16 LLC, on behalf of the insured, Roy Lee Pritchett III, claim reimbursement in the amount of \$6,060.55 for
17 damages allegedly arising from a car accident involving a Department of Public Works vehicle on January
18 7, 2022. The City is in the process of settling this matter; however, it has not yet obtained a signed
19 settlement agreement from all involved parties. In order to protect the City's interests in the event a
20 settlement is not reached, the City Attorney's Office recommends disallowance of this claim so as to limit
21 the statute of limitations for the claimants to file suit.

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23 **BACKGROUND & ANALYSIS:**

24 The Claimants, Country Preferred Insurance Company a.k.a. Country Financial, by its attorneys
25 Ditchey Geiger, LLC, on behalf of the insured, Roy Lee Pritchett III, filed this claim for reimbursement in
26 the amount of \$6,060.55 for damages allegedly arising from a car accident involving a Department of Public
27 Works vehicle on January 7, 2022.

28 The claimants have alleged property damages of \$6,060.55 as a result of this accident. The City is
29 in the process of settling this matter; however, it has not yet obtained a signed settlement agreement from
30 all involved parties.

31 Once the Common Council approves disallowance of a claim, and notice of disallowance is sent to
32 the claimants, a six month statute of limitations begins to toll. If the claimants do not file suit within those
33 six months after receiving notice of disallowance, their claim will no longer be ripe for litigation. Therefore,
34 in order to protect the City's interests in the event a settlement is not reached, the City Attorney's Office
35 recommends disallowance of this claim so as to limit the statute of limitations for the claimants to file suit.

36 As such, the City Attorney's Office recommends that this Committee disallow the claims of
37 Country Preferred Insurance Company a.k.a. Country Financial, by its attorneys Ditchey Geiger, LLC, on
38 behalf of the insured, Roy Lee Pritchett III.

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40 **BUDGETARY IMPACT:**

41 Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00
42 impact on the City's budget.

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44 **RECOMMENDED ACTION:**

45 That the disallowance of this claim be recommended for approval.

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