

**From:** [Lisa Awbrey](#)  
**To:** [Tia Warner](#)  
**Subject:** FW: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024  
**Date:** Tuesday, December 3, 2024 1:06:55 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Tia,

Here is a copy of the emails in case you want to include for the Commissioners review.

Thank you,

Lisa Awbrey  
Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <grace.kitchner@us.davies-group.com>  
**Sent:** Monday, December 2, 2024 4:49 PM  
**To:** Lisa Awbrey <lisaawbrey@citylabelle.com>  
**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024


Good afternoon Lisa,

Along with PRM, we are standing by the decision to deny liability as the City was not negligent in this matter. We are unable to issue payment for damages the claimant sustained from this incident at this time.

Thank you,

**Grace Kitchner**  
P&C Adjuster  
Claims Solutions  
Davies North America



 (877) 326- 5326 x 4167

 [grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)

 <https://davies-group.com/northamerica>

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**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Sent:** Wednesday, November 27, 2024 11:31 AM

**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

I have submitted your request to PRM for review.

Thank you,


**Grace Kitchner**

P&C Adjuster

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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Sent:** Tuesday, November 26, 2024 1:19 PM

**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Grace,

Commissioner Akin has asked that the claim be reconsidered for payment.

Thank you,

Lisa Awbrey  
Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Sent:** Thursday, November 21, 2024 8:35 AM  
**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Our denial letter has been forwarded to the claimant. See attached.

We will be closing our file at this time.

Thank you,

**Grace Kitchner**

P&C Adjuster  
Claims Solutions  
Davies North America



 (877) 326- 5326 x 4167

 [grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)

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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Sent:** Tuesday, November 19, 2024 8:38 AM  
**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,  
Yes, ma'am.  
Thank you,

Lisa Awbrey  
Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Sent:** Tuesday, November 19, 2024 8:33 AM  
**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Subject:** FW: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

I am following up on my previous email regarding our liability determination of this claim.


Can you please advise if we can move forward with denial?

Thank you,

**Grace Kitchner**

P&C Adjuster  
Claims Solutions  
Davies North America



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**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Sent:** Thursday, November 14, 2024 8:31 AM

**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

I have conferred with PRM regarding liability in this matter.

We are in agreement that since the City did not have any ordinance in place at the time of incident nor were any previous incidents reported, we are recommending a denial of liability in this matter.

Please advise.

Thank you,


**Grace Kitchner**

P&C Adjuster

Claims Solutions

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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Sent:** Wednesday, November 13, 2024 9:15 AM

**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,

No, we didn't have any prior incidents reported to the City regarding this tree.

Thank you,

Lisa Awbrey

Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Sent:** Wednesday, November 13, 2024 7:54 AM  
**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Thank you for the follow up information. The claimant is under the impression that Mr. Wills had confirmed that the City will have his repairs paid for, unfortunately.

Had any prior incidents at this location been reported to the City?

I am going to roundtable this claim with my PRM team and let you know the outcome of our liability assessment.

Thank you,

**Grace Kitchner**  
P&C Adjuster  
Claims Solutions  
Davies North America



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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Sent:** Tuesday, November 12, 2024 8:58 AM  
**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,

I spoke with Superintendent Mitchell Wills. He is the one that spoke with Mr. Hallihan. He said, he told him the tree was 11' but that the City didn't currently have an ordinance regarding height. DOT Standards are 14' which we have now adopted that height into an Ordinance at our last City Commission Meeting which was October 24, 2024. Mr. Wills said, he told Mr. Hallihan he wasn't sure if the City's insurance would cover it or not.

Regards,

Lisa Awbrey  
Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Sent:** Friday, November 1, 2024 3:50 PM  
**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

The claimant has stated that he has spoken to someone at City Hall who informed him that the tree clearance should be around 14ft, but at the time of the incident the clearance was about 11ft. This same person also told the claimant that the City would "take care" of him.

The claimant provided the repair estimate for the damages totaling \$1,814.23.

Can you provide any information regarding the tree clearance regulation and measurements? I know you had previously shared that the involved department is closed on Fridays.

Thank you for your help,

**Grace Kitchner**

P&C Adjuster

Claims Solutions

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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Sent:** Friday, October 18, 2024 9:21 AM

**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Grace,

I will need to get back to you on Monday regarding the height of the tree branch. Our streets maintenance staff are off on Fridays. The tree is a City tree. We have hundreds of Oak Trees in the City of LaBelle. We are the City of the Oaks. We do have signage on the streets that say no trucks, but they don't say low hanging trees. I will get a measurement for you on Monday.

Regards,

Lisa Awbrey

Human Resources Director

City of LaBelle

P.O. Box 458

LaBelle, FL 33975

863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Sent:** Friday, October 18, 2024 9:15 AM



**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good morning Lisa,

Thank you for the photos.

Can we confirm that the tree is City owned and regularly maintained? Do we know what the clearance of the trees are supposed to be in that area and if the tree is abiding by that code?

Thank you,

**Grace Kitchner**

P&C Adjuster

Claims Solutions

Davies North America



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**From:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>

**Sent:** Thursday, October 17, 2024 3:38 PM

**To:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>

**Subject:** RE: Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Grace,

This is the only picture that was provided to us. The tree was inspected by our Superintendent of Public Works, and he said he couldn't see any damage on the tree limb that indicated something had hit it. Also, he spoke with the lady that lives directly in front of the tree and she said she didn't see or hear anything.



Lisa Awbrey  
Human Resources Director  
City of LaBelle  
P.O. Box 458  
LaBelle, FL 33975  
863-675-2872 Ext. 236



---

**From:** Grace Kitchner <[grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)>  
**Sent:** Thursday, October 17, 2024 3:20 PM  
**To:** Lisa Awbrey <[lisaawbrey@citylabelle.com](mailto:lisaawbrey@citylabelle.com)>  
**Subject:** Claim #1292785 - John Glen Hallihan v. City of La Belle - DOL 09/21/2024

Good afternoon Lisa,

I hope you are safe and well after the last two Hurricanes!

I am currently in a mediation or I would have called to discuss this new claim involving a damaged camper from a low hanging branch. I do not see any supports uploaded to the file at this time. Could you please provide me with any supports or additional information you have for this matter?

Are we able to confirm if this tree involved is City owned and maintained? Have previous incidents been reported for this location? Do we know what the legal tree clearance should be on this road?

I appreciate your help and time with this!

Thank you,  
**Grace Kitchner**  
P&C Adjuster  
Claims Solutions  
Davies North America



 (877) 326- 5326 x 4167

 [grace.kitchner@us.davies-group.com](mailto:grace.kitchner@us.davies-group.com)

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