



December 3, 2015

Wilber and Associates
210 Landmark Drive
Normal, IL 61761-2194

RE: Insured: City of Rapid City
Date of Loss: June 17, 2015
Our Claim No.: 0AB147741
Your Insured: State Farm Insurance Company, a/s/o Fred Reed
Your Claim#: 1295703-28

Dear Wilber and Associates;

Atlantic Specialty Company provides the General Liability insurance coverage for the City of Rapid City, South Dakota. In that capacity, we acknowledge receipt of your subrogation claim for the property damage of your above client.

Our investigation of this claim finds the loss area received a tremendous amount of rain in a very short timeframe, surcharging the drainage system already in place. We find no evidence to indicate the City of Rapid City directly caused a restriction in the drainage system, nor had notice of such a hazard to address prior to the loss date. We also find no evidence the drainage system in place is defective or failed to meet required engineering standards at the time of this loss. Therefore, we must respectfully deny your claim.

While we are sympathetic, the City of Rapid City can only respond to claims in which they are legally liable. If you have additional evidence of negligence to support your allegations against the City of Rapid City, please provide it to me for further consideration. Additionally, pursuant to South Dakota Statute, the City of Rapid City retains all applicable immunity.

Should you have any questions or concerns, please feel free to contact me.

Yours Very Truly,

J. Michael Lively
jlively@onebeacongov.com
781-332-8514 (Phone)
866-207-8130 (Fax)