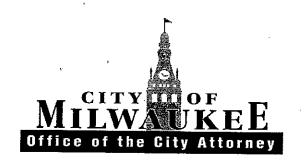
GRANT F. LANGLEY City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



April 30, 2009

Jeffery Kusick 818 Surrey Lane Hartland, WI 53029

RE: Jeffrey Kusick

C.I. File No: 09-S-57

Dear Mr. Kusick:

We have received your claim in the amount of \$230.00, relating to the windshield damage to your vehicle that was allegedly caused by snow and ice that was dislodged and/or thrown over the South 92nd Street bridge as you traveled east on I-94 on December 12, 2008.

Our investigation reveals that the Fleet Accident Report completed as a result of this alleged incident noted the bridge is outfitted with small safety fence fabric on either side, to a height of 8 feet above the sidewalk. The holes in the mesh are approximately 1 inch in size. The driver assigned to this route also denies causing any damage. Our office also spoke with the Support Service investigator that investigated this matter. He noted we followed standard plowing procedures. Since the City followed standard procedures and there is no proof that the City was negligent in this matter, it cannot accept liability and we are denying your claim.

THOMAS O. GARTNER **BRUCE D. SCHRIMPF** SUSAN D. BICKERT STUART S. MUKAMAL THOMAS J. BEAMISH **MAURITA F. HDUREN** JOHN J. HEINEN **DAVID J. STANOSZ** SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER **HEIDI WICK SPOERL KURT A. BEHLING GREGO C. HAGOPIAN ELLEN H. TANGEN MELANIE R. SWANK** JAY A. UNORA DONALD L SCHRIEFER **EDWARD M. EHRLICH** LEONARD A. TOKUS MIRIAM R. HORWITZ MARYNELL REGAN G. O'SULLIVAN-CROWLEY KATHRYN Z. BLOCK MEGAN T. CRUMP **ELOISA DE LEÓN ADAM B. STEPHENS KEVIN P. SULLIVAN BETH CONRADSON CLEARY** THOMAS D. MILLER HEIDI E. GALVÁN JARELY M. RUIZ **ROBIN A. PEDERSON** DANIELLE M. BERGNER Assistant City Attorneys

Jeffery Kusick April 30, 2009 Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT PANANGLEY

City Attorne

ROBERT M. OVERHOLT

Investigator Adjuster

RMO:beg

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