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May 18, 2007

Leroy Nichols, Sr.
4661 North 27th Street, Apt. # 205
Milwaukee, WI 53209

RE: Leroy Nichols, Sr.
C.I. File No: 07-S-117

Dear Mr. Nichols:

We have received your claim in the amount of \$74.98, relating to damage allegedly sustained to your vehicle on March 11, 2007 when it collided with a pothole while you were traveling on Teutonia Avenue south of Good Hope Road.

Our investigation reveals that the Infrastructure Services Division (ISD) records from March 11, 2006 to March 31, 2007 indicate that they conducted asphalt patching along the 7100 and 7200 blocks of North Teutonia Avenue as recently as February 15, 2007. Their records also indicate that between March 11, 2006 and March 31, 2007 they did not receive any complaints for the roadway along the 7100 and 7200 blocks of North Teutonia Avenue. You filed this claim on April 9, 2007. On April 11, 2007 the ISD received a call from the Mayor's Office and on April 23, 2007 a call from the Alderman's Office regarding potholes along the 5200 through 7200 blocks of North Teutonia Avenue. Street Maintenance crews patched these locations on April 13, 17 and 23, 2007. When the division is notified of any hazard in the roadway, sidewalk or alley they will send a crew to investigate and/or patch the hazard. Prior to the call from the Mayor's Office, the City had no notice of this hazard and because of this lack of notice the City would not be liable. Therefore, we are denying your claim.

Leroy Nichols, Sr.
May 18, 2007
Page 2

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

Very truly yours,



GRANT F. LANGLEY
City Attorney

Steven M. Carini
STEVEN M. CARINI
Investigator Adjuster

SMC:beg
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