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February 28, 2014

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from MICHELLE STEWART
C.I. File No. 1029-2013-1700

Dear Council Members:

Claimant, Michelle Stewart, 5542 North 53rd Street, Milwaukee WI 53218 alleges on her own and through Allstate Insurance Company, by its representative Yvonne Numnik, P.O. Box 21169, Roanoke, VA 24018, as subrogee, and also through UMR, by its representative Michelle Buss, P.O. Box 13216, Green Bay, WI 54307, as subrogee, that on May 30, 2013 they sustained damages when her vehicle collided with a manhole cover which had been run over and dislodged by another vehicle at West Appleton Avenue and West Congress Street. The companies claim damages in the amounts of \$8,748.40 and \$718.28, respectively. In addition, claimant Michelle Stewart also alleges that she sustained injuries and claims damages in the amount of \$50,000.00. The combined demand is \$59,466.68.

The Infrastructure Services Division records indicate that the prior to May 30, 2013, the City had no notice of this hazard and because of this lack of notice, the City would not be liable. Therefore, we recommend that these claims be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

PATRICIA A. FRICKER
Assistant City Attorney

PAF:cdr
Enclosure

1029-2013-1700/200789