

April 1, 2005

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

Re: Communication from Action Law Office, S.C.  
On behalf of Connie Williams  
C.I. File No. 04-S-426

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Connie Williams, 2687 South 9<sup>th</sup> Street, Milwaukee, WI 53215 alleges through her attorney, Action Law Offices, S.C., 933 North Mayfair Road, Suite 200, Milwaukee, WI 53226, that on July 23, 2004 she sustained injuries when she tripped and fell on an uneven part of the sidewalk between 2803 and 2809 South 9<sup>th</sup> Street. They claim damages in the amount of \$47,000.00.

Our investigation reveals that the Infrastructure Services Division records from July 23, 2003 to July 31, 2004 indicate that they did not conduct asphalt patching or receive any complaints of sidewalk defects along the 2800 block of South 9<sup>th</sup> Street. On December 3, 2004, after receipt of this claim, a Street Maintenance crew shimmed with asphalt the sidewalks at 2803 through 2815 South 9<sup>th</sup> Street. When the division is notified of any hazard along a sidewalk or in the roadway they will send a crew to investigate and /or patch the hazard.

To the Hon. Common Council  
April 1, 2005  
Page 2

Prior to this complaint, 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 this claim be denied

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1029-2004-3413:91634