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May 5, 2008

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

Re: Resolution relating to the claim of Minerva & Joaquin Castillo
By their attorney Sarah F. Kaas; Cannon & Dunphy, S.C.
C.I. File No. 05-L-98

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.

Claimants, Minerva and Joaquin Castillo, 3128 South 10th Street, Milwaukee, WI 53215, by their attorney, Sarah F. Kaas, Cannon & Dunphy, S.C., Post Office Box 1750, Brookfield, WI 53008-1750 allege that on April 21, 2005 Ms. Castillo tripped and fell over a metal object protruding from the sidewalk at or near 960 West Oklahoma Avenue. They claim damages in the amount of \$57,118.90.

Our investigation reveals that the Infrastructure Services Division (ISD) received notice of the broken sign standard on April 22, 2005 at 1:08 p.m. when a City maintenance crew reported the missing sign and placed a cone over the area. A sign crew then replaced the

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knocked down sign on April 25, 2005. The City had no prior notice of this hazard and because of this lack of notice, it would not be liable, as such, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2005-1409:132540