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May 15, 2019

Ryan White
6623 W. Washington Street
West Allis, WI 53214

Mailed
5-16-19

RE: C.I. File No. 1029-2019-633
Communication from Ryan White

Dear Mr. White:

We are in receipt of your claim for damages to your 2018 Model 3 Tesla in the amount of \$886.00 which resulted from striking a pothole in the vicinity of the 8500 block of West Lisbon Avenue on February 18, 2019.

Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for the damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of Public Works Call Center relative to this incident.

Their investigation revealed that we had prior knowledge of a hazard and it was patched prior to February 18, 2019. The winter weather has hampered the repair work and the ability of the patch materials to remain in the repairs. ISD followed their normal procedures and the City was acting within its discretion. As such, we are denying your claim for damages.


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



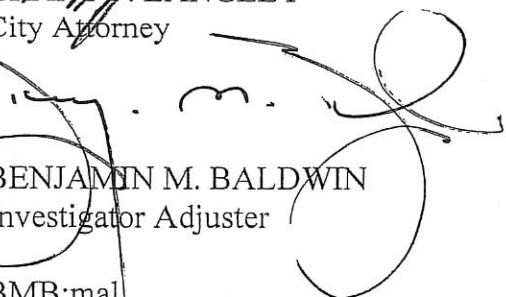
Ryan White
May 15, 2019
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53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT F. LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

C: Samir Amin, P.E. (Infrastructure)

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