

GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
Assistant City Attorneys

September 11, 2013

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

Re: Communication from NILDA QUIROZ
C.I. File No. 1058-2013-1628

Dear Council Members:

Claimant, Nilda E. Quiroz, 2305 West Ohio Avenue, Milwaukee, WI 53215, alleges through her attorney, Carlson, Blau & Clemens, S.C., 3732 West Wisconsin Avenue, Suite 300, Milwaukee, WI 53208, that on January 22, 2012 she sustained injuries when she slipped and fell on a poorly lighted and icy sidewalk at 2305 West Ohio Avenue. She claims damages in the amount of \$30,649.61.

This notice of claim was filed on June 7, 2013. Wisconsin Statute §893.80(1d)(a) requires that a notice of injury be filed within 120 days after the happening of the event giving rise to the claim. This notice is untimely.

The accumulation of ice and snow did not exist for twenty one days as required by Wisconsin Statute §893.83.

Lastly, Infrastructure Services Division records indicate that they did not have any streetlight outages in this area in January of 2012.

To the Hon. Common Council
September 10, 2013
Page 2

Based on the above, the City cannot accept liability. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

PATRICIA A. FRICKER
Assistant City Attorney

PAF:cdr

Enclosure

1058-2013-1628/195779