

August 25, 2003

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

Re: Communication from Werner Frank
C.I. File No. 03-L-46

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, Werner Frank, 5075 North 47th Street, Milwaukee, WI 53218 alleges that on January 16, 2003 he contacted the Milwaukee Police Department to make a complaint about an individual with a knife who was in his neighborhood. He asked to be anonymous but his identity was made known. Subsequently, he received a suspicious note in his mail. As he tried to pick it up, the wind blew it across the street. He ran after it and slipped and fell on private property. He claims damages in the amount of \$300,000.00.

Our investigation reveals that the police were sent to the neighborhood in response to a complaint about a subject with a knife. While the caller wished to remain anonymous, the responding squad was not advised of this and did go to the claimants' location. However, the proximate cause of the alleged injury is the slip and fall which happened on private property. As such, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
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