

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

March 19, 2008

James Geracie
c/o Realty Executives
13005 West Bluemound Road
Brookfield, WI 53005

RE: James Geracie
C.I. File No: 08-S-117

Dear Mr. Geracie:

We have received your claim in the amount of \$1,368.57, relating to damage allegedly sustained to your vehicle on December 27, 2007 when it collided with a pothole at or near West Capitol Drive and West Grantosa Drive.

Our investigation reveals the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center and found that on December 27, 2007 at 1:35 p.m., the City was advised of this hazard in the roadway. The area was patched by the ISD on December 29, 2007. The City followed its standard procedures and was acting within its discretion, as such; it would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1029-2008-596:130595

OFFICE OF THE CITY ATTORNEY