GRANT F. LANGLEY City Attorney

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May 31, 2018

Dwayne A. Barnes 4031 W. Tupelo Street Milwaukee, WI 53209

RE:

C.I. File No. 1029-2018-997

Communication from Dwayne A. Barnes

Dear Mr. Barnes:

We have received your claim in the amount of \$769.34, relating to a loss on Tuesday, April 24, 2018 at 7:39 a.m..

Mailed 5/31/18

The Infrastructure Services Division (ISD) reviewed their records and those of the DPW Call Center relative to this incident. They found that on Tuesday, April 24, 2018 the Call Center received one call at 7:47 a.m. regarding a pothole at 4000 West Douglas Avenue. The ISD patched this on Friday, April 27, 2018. The ISD followed proper procedures and was acting within the City's discretion. Prior to April 24, 2018, the City had no notice of this hazard and because of this lack of notice the City would not be liable. Therefore, we are denying your claim.

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 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. MINGLEY

stevenm Covini

STEVEN M. CARINI Investigator Adjuster

SMC:mal

C: Samir Amin (Infrastructure) 1029-2018-997:249796

SUSAN E. LAPPEN PATRICIA A. FRICKER HEIDI WICK SPOERL GREGG C. HAGOPIAN **ELLEN H. TANGEN** JAY A. UNORA KATHRYN Z. BLOCK **KEVIN P. SULLIVAN** THOMAS D. MILLER ROBIN A. PEDERSON JEREMY R. MCKENZIE PETER J. BLOCK NICHOLAS P. DESIATO JOANNA FRACZEK JENNY YUAN KAIL J. DECKER ALLISON N. FLANAGAN PATRICK J. LEIGL HEATHER H. HOUGH ANDREA J. FOWLER PATRICK J. MCCLAIN NAOMI E. GEHLING **CALVIN V. FERMIN** BENJAMIN J. ROOVERS **ELLENY B. CHRISTOPOULOS** RACHEL S. KENNEDY TYRONE M. ST. JUNIOR HANNAH R. JAHN SAVEON D. GRENELL **ROSE SIMON-SILVA** JULIE P. WILSON **GREGORY P. KRUSE** Assistant City Attorneys

