

November 11, 2002

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

Re: Communication from Attorney Gregg Bridge
on behalf of Waheed Farooki
C.I. File No. 00-L-106

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, Waheed Farooki, 8284 Flagstone Court, Greenfield, WI 53129, by his attorney Bridge Law Office, 2300 North Mayfair Road, Suite 470, Milwaukee, WI 53226-7605, allege that on May 2, 2000 he tripped and fell on an elevated piece of sidewalk causing serious injury to his right knee at or near 5343 South 13th Street. They claim damages in the amount of \$50,000.00.

The Infrastructure Services Division records indicate there were no complaints of sidewalk defects in the area for one year prior to the claimant's fall. The 5300 block of South 13th Street was included in the 2000 Sidewalk Replacement Program and portions of the sidewalk in the area were replaced in the summer of 2000.

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The claimant failed to exercise ordinary care for his own safety. In addition, prior to the claimant's fall, the City had no notice of any sidewalk defect requiring immediate repair, and the City would not be liable. Accordingly, we recommend 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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