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**CITY OF
MILWAUKEE**

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April 2, 2019

Tim Fritsch
501 N. 115th Street
Milwaukee, WI 53226

Mailed
4-3-19

RE: C.I. File No. 1029-2019-420
Communication from Tim Fritsch

Dear Mr. Fritsch:

We are in receipt of your claim for damages to your 2013 Ford Fusion in the amount of \$488.78 which resulted from striking a pothole in the vicinity of 84th and Lisbon on February 19, 2019.

Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and /or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for the damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of the Department of Public Works Call Center relative to this incident.

Their investigation revealed that we had prior knowledge of a hazard, and it was patched in a timely fashion. ISD following their normal procedures and acting within its discretion in the repair of the pothole, coupled with the City's discretionary immunity, the City is not liable for your damages. As such, 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



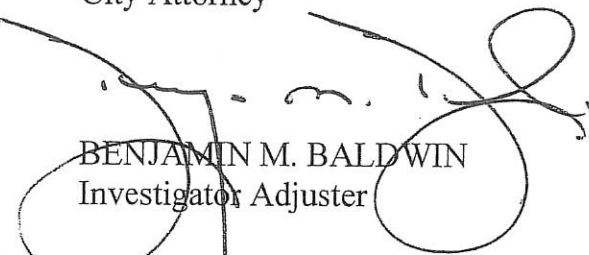
Tim Fritsch
April 2, 2019
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53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



for GRANT F. LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

C: Samir Amin (Infrastructure)

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