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September 26, 2018

Willie Jackson
5315 W. Malcomb Street
White Hall, AR 71602

RE: C.I. File No. 1029-2018-1538
Communication from Willie Jackson

Dear Ms. Jackson:

We are in receipt of your claim for the injuries you sustained from falling as you crossed the intersection of 4th and Kilbourn on May 15, 2018.

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 Public Works Call Center relative to this incident.

Their investigation revealed that we had prior knowledge of a hazard, and it was addressed in a timely fashion. Also, 4th and Kilbourn is a wide and open intersection, which would make any defect or hazard an open and obvious condition that could be avoided. ISD followed their normal procedures and acted within its discretion in repairing streets/sidewalks. Based on ISD's report and the City's discretionary immunity, the City is not liable for your damages. As such, we are denying your claim for injuries you sustained from a fall occurring on May 18, 2018.

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.

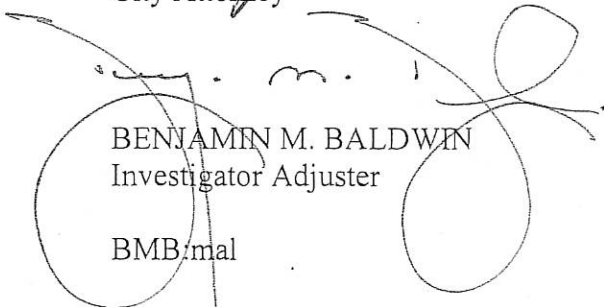


Willie Jackson
September 26, 2018
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Very truly yours,



GRANT F. LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

C: Samir Amin (Infrastructure)

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