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June 18, 2018

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

Re: C.I. File No. 1029-2018-1186  
Communication from: Schiro & Zarzynski  
Atty. Jeffrey P. Zarzynski  
111 E. Wisconsin Avenue, Suite 1925  
Milwaukee, WI 53202-4825 on behalf of  
Stephan Thomas  
2570 N. Booth Street  
Milwaukee, WI 53212

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Schiro & Zarzynski alleges that on January 28, 2018 their client sustained injuries when he slipped and fell on a defective sidewalk at 909 East Garfield Avenue. Claimed damages total \$300,000.00.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. Under discretionary immunity, the City is generally not liable for damages.

City records indicated that prior to January 28, 2018 the City had no notice of this hazard in the sidewalk. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for the damage. Therefore, we recommend that this claim be denied.



Honorable Common Council  
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Very truly yours,



GRANT F. LANGLEY  
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Enclosure

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