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September 4, 2007

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

Re: Resolution relating to the claim of Antoinette A. Colla  
C.I. File No. 07-L-71

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, Antoinette A. Colla, 1027 East Pleasant Street, #103, Milwaukee, WI 53202, alleges that on March 30, 2007 she sustained injuries when she tripped and fell on an uneven part of the alley near North Jefferson Street and East Mason Street. She claims damages in the amount of \$150,000.00.

Our investigation reveals that the Infrastructure Services Division records from March 30, 2006 to April 30, 2007 indicates that they did not conduct any asphalt patching or receive any complaints for the alley bounded by North Jefferson Street, North Jackson Street, East Wisconsin Avenue and East Mason Street. On August 10, 2007, after receipt of this claim, a Street Maintenance crew patched this location with asphalt. When the division is notified of any hazard in the roadway, sidewalk or alley they will send a crew

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to investigate and/or patch the hazard. Prior to this, the City had no notice of this hazard and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1029-2007-1914:123049