

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
VINCENT J. BOBOT  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
Assistant City Attorneys

February 25, 2008

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

Re: Resolution relating to the claim of Lisa Washington  
C.I. File No. 07-S-410

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, Lisa Washington, 8010 West Casper Street, Milwaukee, WI 53223-5535, alleges on her own behalf that her vehicle was damaged on or about October 31, 2007 at North Teutonia Avenue and West Carmen Avenue when it allegedly struck a large stone protruding from the roadway. She claims damages in the amount of \$6,319.96.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and the DPW Call Center records and found that prior to October 28, 2007 the City had no notice of any loose concrete at this location. The ISD repaired this area on October 30, 2007. It appears the claimant may have the incorrect loss date, because the repair noted above was prompted by a complaint call received on October 28, 2007.

The Milwaukee Water Works (MWW) also reviewed their records in relation to this incident. They found had conducted repair activity on four occasions around the time of this loss. They followed their standard repair procedures and turned over the final road

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repairs to the ISD. The ISD also followed their standard procedures and it was acting within the City's Discretion regarding the repairs. Since the City had no notice of the loose concrete and the City departments followed standard procedures regarding the MWW repair activity, the City cannot accept liability and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
1029-2007-3211:129456