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May 26, 2006

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

Re: Communication from STERN & RAMTHUN, LLP
On behalf of Brenda Jung-Konrath
C.I. File No. 06-L-38

Dear Council Members:

We return the enclosed document which as 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, Brenda Jung-Konrath, 415 Scenic Road, Colgate, WI 53017, alleges through her attorney Stern & Ramthun, LLP, 2645 North Mayfair Road, Suite 230, Milwaukee, WI 53226, that on March 14, 2006 she sustained injuries when she tripped and fell on a sidewalk grate, located at North Plankinton Avenue and West Wisconsin Avenue, which was raised well above the pavement. They claim damages in the amount of \$25,000.00.

Our investigation reveals that the Infrastructure Services Division records from March 14, 2005 to March 31, 2006 indicate that they did not conduct any asphalt patching or receive any complaints for the sidewalk near the intersection of North Plankinton Avenue and West Wisconsin Avenue. After receipt of this claim, they conducted a field inspection of sidewalks in this area. It revealed that there is a WE Energies vault in the

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sidewalk at this location. WE Energies have maintenance responsibility for their vault. They were notified. The sidewalk adjacent to this vault is in good condition. As such, the City cannot be held liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2006-1209:105968