

CITY OF MILWAUKEE

Form CA-43

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

Re: Communication from Attorney Kevin Nowakowski
on behalf of Kiriakoula Haltoupi
C.I. File No. 01-L-121

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, Kiriakoula Haltoupi, 1133 North Edison Street, Milwaukee, WI 53202 by her attorney Kevin Nowakowski of Whyte Hirschboeck Dudek S.C., 111 East Wisconsin Avenue, Suite 2100, Milwaukee, WI 53202 alleges that on April 26, 2001 while walking to work on the sidewalk located at North 3rd Street, between West Kilbourn Avenue and West Wells Street she tripped and fell on an uneven portion of the sidewalk in front of C & W Parking, sustaining personal injuries. They claim damages in the amount of \$50,000.00.

Our investigation reveals that there is no record of any complaint with the Infrastructure Services Division regarding a defect at this site for one year prior to this incident. Upon notification of this claim a street maintenance crew repaired the area in question with asphalt. Prior to this complaint, the City had no notice of this defect in the street and because of this lack of notice, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,


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