

# CITY OF MILWAUKEE

Form CA-43

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February 26, 2001

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

Re: Communication from Attorneys GENDLIN & SAFRAN, S.C.  
on behalf of Beverly R. Berry  
C. I. File No. 00-L-151

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, Beverly R. Berry, 2852 North 45<sup>th</sup> Street, Milwaukee, WI 53210, by her attorneys Gendlin & Safran, S.C., 1110 North Old World Third Street, Suite 200, Riverfront Plaza, Milwaukee, WI 53203 alleges that on July 27, 2000 while driving her automobile Eastbound from West Silver Spring Drive and turning left onto North Teutonia Avenue she was involved in an automobile collision because a traffic sign indicating the left lane is a left turn only lane and the right lane is a left turn or straight ahead lane was missing from its normally posted position. She claims damages in the amount of \$9,500.00.

Infrastructure Services Division investigated this claim. The records indicate that prior to the claimant's accident a multiple turn sign was last replaced at the intersection on April 28, 2000. The next time the City was

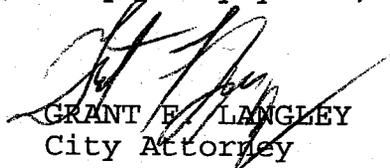
To the Hon. Common Council

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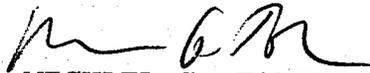
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aware of a missing multiple turn sign at this intersection was after the claimant's accident. Since the City of Milwaukee had no notice of a missing sign prior to the claimant's accident it cannot be held liable. We recommend denial of this claim.

Very truly yours,



GRANT E. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure