

GRANT F. LANGLEY

City Attorney

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



THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
Assistant City Attorneys

December 27, 2012

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

Re: Communication from MALCOLM D. MARTIN
C.I. File No. 12-L-85

Dear Council Members:

Claimant, Malcolm D. Martin, 4103 North Port Washington Avenue, Milwaukee, WI 53212, alleges that the ground breaking equipment used to break the sidewalk and street in front of his building at 4101-4103 North Port Washington Avenue caused water and structural damage to the building. He seeks damages in the amount of \$170,235.56.

Our investigation reveals that the Infrastructure Services Division records indicate that the Infrastructure Services/Field Operations did not have any maintenance projects along the 4100 block of North Port Washington Avenue during July 2012. The reconstruction of North Port Washington Avenue between North Martin Luther King Drive and West Olive Street was a State of Wisconsin paving project, State ID No. 2570-04-70. Their contact information is the State of Wisconsin Department of Transportation, Waukesha Transportation District 2, 141 N.W. Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798. The contractor involved is LaLonde Contractors, Inc. Their address is 2929 South Chase Avenue,

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P.O. Box 070420, Milwaukee, WI 53207. Since the City is not involved with the project, it cannot accept liability. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Assistant City Attorney

RMK:cdr

Enclosure

1029-2012-2556/187772