



PHILLIP S GEORGES PLLC

WOLFPACK LAWYERS

January 26, 2024

VIA PERSONAL SERVICE

Milwaukee City Clerk
Attention: Claims
200 East Wells Street, Suite 205
Milwaukee, WI 53202

1/26/24
1015A
AD

RE: **REQUEST FOR HEARING**
Our Client: Ashley Smith
Date of Loss: 05/24/2023
Claim No.: 1029-2023-1198

Dear Clerk:

I am in receipt of the attached letter dated January 3, 2024, and postmarked January 17, 2024. We are within the 21 days period to request an appeal.

We are hereby requesting that the above claim be set for a hearing to appeal the City of Milwaukee's claim with regard to the above referenced matter.

Please direct all future correspondence to the attention of my paralegal, Trisha De Young. Her contact information is below.

Trisha M. De Young, Paralegal
Phillip S. Georges, PLLC
790 North Milwaukee Street, Suite 200C, Milwaukee, WI 53202
Direct: (615) 486-4115 ext. 707
Email: trisha@wolfpacklawyers.com
Fax: (615) 576-8668

We look forward to your earliest response.

Very Truly Yours,
Phillip S. Georges, PLLC

Phillip S. Georges
Attorney

501 Union St. • Suite 200D • Nashville TN 37219
223 E. City Hall Ave. • Suite 216 • Norfolk VA 23510
790 N. Milwaukee St. • Suite 200C • Milwaukee WI 53202
Phone: 615-486-4115 • Fax: 615-576-8668
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CITY CLERK'S OFFICE
2024 JAN 26 AM 10:28
CITY OF MILWAUKEE

TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

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KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
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JULIE P. WILSON
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KYLE W. BAILEY
JOSEPH M. DOBBS
WILLIAM K. HOTCHKISS
CLINT B. MUCHE
JOANNA FRACZEK
Assistant City Attorneys

January 3, 2024

Attorney Phillip S. Georges
Phillip S. Georges, PLLC
790 North Milwaukee Street, Suite 200C
Milwaukee, WI 53202

unmailed
1-17-24

RE: Communication from Attorney Phillip S. Georges on behalf of
Ashley Smith
C.I. File No. 1029-2023-1198

Dear Attorney Georges:

The City of Milwaukee is in receipt of the claim for damages on behalf of your client, Ashley Smith, incurred as a result of a defect in a sidewalk or street at 4614 North 29th Street on May 24, 2023.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of any defect, the Department of Public Works sends a crew to investigate and/or patch, repair or barricade the hazard. Under discretionary immunity, the City is generally not liable for damages.

City records indicated that prior to May 24, 2023 the City had no notice of a hazard in the sidewalk. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for damages.

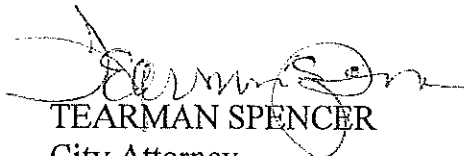
A rectangular stamp with the word "COPY" in a bold, sans-serif font.




Attorney Phillip S. Georges
January 3, 2024
Page Two

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,


TEARMAN SPENCER
City Attorney


PATRICIA KLOSIEWSKI
Investigator Adjuster

PK/cdr

1029-2023-1198/288946

TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
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January 3, 2024

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790 North Milwaukee Street, Suite 200C
Milwaukee, WI 53202

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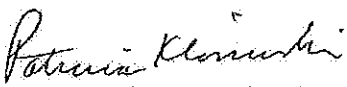


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OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

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