

# CITY OF MILWAUKEE

Form CA-43

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July 9, 2004

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

Re: Communication from Judith A. and Robert L. Starz  
C.I. File No. 04-L-71 & 04-L-71-1

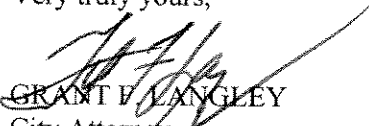
Dear Council Members:

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.

Claimants, Judith A. and Robert L. Starz, 8822 West Waterford Square South, Greenfield, WI 53228, allege that on February 25, 2004, she sustained injuries when she tripped and fell on an uneven part of the sidewalk in the 700 block of North Van Buren Street. They claim damages in the amount of \$11,097.00.

Our investigation reveals that the Infrastructure Services Division records from February 25, 2003 to February 29, 2004 indicate that no complaints of any sidewalk tripping hazard have been reported for this area. At the location where the claimant fell, there is an underground vault owned by WE Energies. They are responsible for the maintenance of this facility. As such, the City cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

  
**MICHAEL G. TOBIN**  
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MGT:beg  
Enclosure  
1029-2004-1732:82820