

# CITY OF MILWAUKEE

Form CA-43

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April 24, 2002

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

Re: Communication from Attorney Pamela R. Resnick  
on behalf of Minette Wilson  
C.I. File No. 02-L-43

Dear Council Members:

We return the enclosed document which has been filed with City Clerk and ask that it be introduced and referred to the Committee on Judiciary & legislation with the following recommendation.

Claimant, Minette Wilson, 2337 West Fond du Lac Avenue, Milwaukee, WI 53206 by Pamela R. Resnick her attorney alleges that the claimant sustained damage to her building between November 15 & 30, 2001 due to sidewalk construction. She claims damages in the amount of \$8,000.00.

The Infrastructure Services records indicate James Cape & Sons, P.O. Box 044580, Racine, WI 53404 was awarded a Wisconsin Department of Transportation contract for removal and replacement of all pavement on West Fond du Lac Avenue between North 19<sup>th</sup> St. and North 36<sup>th</sup> St.

To the Hon. Common Council

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A copy of this claim was provided to James Cape and Sons by the Infrastructure Services Division. Since the project was under the jurisdiction of the State, the City cannot accept liability for this loss. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure