

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**PATRICK B. McDONNELL**  
**LINDA ULISS BURKE**  
Deputy City Attorneys



**OFFICE OF CITY ATTORNEY**  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD (414) 286-2025  
FAX (414) 286-8550

**BEVERLY A. TEMPLE**  
**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**HAZEL MOSLEY**  
**HARRY A. STEIN**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**DAVID J. STANOSZ**  
**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**  
**DAWN M. BOLAND**  
**KATHRYN M. ZALEWSKI**

Assistant City Attorneys

February 12, 2004

Judith Vest  
2836A South Chase Avenue  
Milwaukee, WI 53207

RE: Judith Vest  
C.I. File No: 04-S-12


Dear Ms. Vest:


This office is in receipt of your claim in the amount of \$500.00, relating to injuries you sustained to your knee on December 21, 2003 when you tripped on the sidewalk at 2258 South Lenox Street.

Our investigation reveals the Infrastructure Services Division conducted asphalt patching operations in the 2500 block of South Lenox Street on 4 occasions in the period of December 21, 2002 to December 20, 2003. Three of the operations involved asphalt patching of potholes or depressions in the roadway. On December 23, 2003 a street maintenance crew patched an offset along the sidewalk in the 2500 block of South Lenox Street, as a result of your call to the DPW Call Center on the same date. When the division is notified of a hazard in the roadway a crew is sent to investigate and/or patch the hazard. Prior to your loss the City had no notice of this defective condition, and as such, since the City had no notice of the condition, it cannot accept liability for your loss. Accordingly, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter with 21 days of the receipt of this letter to the Milwaukee City Clerk 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

  
**GRANT F. LANGLEY**  
City Attorney

  
**ROBERT M. OVERHOLT**  
Investigator Adjuster

RMO:beg  
1029-2004-149:77956: