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August 7, 2006

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

Re: Resolution relating to the claim of Larry Parks
By his attorney Frank Pasternak
C.I. File No. 05-L-82

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.

Claimant, Larry Parks, 3757 North 3rd Street, Milwaukee, WI 53212 by attorney Frank Pasternak, 8112 West Bluemound Road, Milwaukee, WI 53213 allege that Mr. Parks sustained injuries when he fell into a hole that was in the roadway at North 76th Street and West Center Street on February 14, 2005. They claim damages in the amount of \$50,000.00.

Our investigation reveals the Milwaukee Water Works (MWW) conducted a site visit on March 28, 2005 and discovered a missing cover on a WE Energies natural gas gate valve. This condition was reported to WE Energies on March 28, 2005. The MWW records reflected there are no

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water stop boxes in the area of the alleged incident. Since the City was not involved with the claimant's loss, it cannot accept liability and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure

1029-2005-633:108386