

February 18, 2003

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

Re: Communication from Lowe Law Offices, S.C.  
on behalf of Rose Dudzik  
C.I. File No. 02-L-70

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, Rose Dudzik, alleges through her attorney, Lowe Law Offices, S.C., 11616 West North Avenue, Suite A, Wauwatosa, WI 53226, that on January 21, 2002 she sustained injuries when she tripped and fell on an uneven part of the sidewalk located at 2645 West Kinnickinnic River Parkway. She claims damages in the amount of \$50,000.00.

Our investigation reveals that the Infrastructure Services Division records from January 21, 2001 to January 31, 2002 indicate that no complaints of any sidewalk tripping hazard has been reported for this area. On June 10, 2002, after receipt of this claim, they patched with asphalt the sidewalk in the 2600 block of West Kinnickinnic River Parkway. Upon notification of a hazard the division will send a repair crew to correct it

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usually within 24 hours. Prior to this complaint, the City had no notice of this defect in the sidewalk and because of this lack of notice, the City would not be liable. 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  
1029-2002-1560:64127