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March 10, 2010

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

Re: Resolution Relating to the Claim of DENISE DENTON  
C.I. File No. 07-L-76

Dear Council Members:

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

Claimant, Denise Denton, 1010 West National Avenue, Milwaukee, WI 53204, by her attorney, Weigel, Carlson, Blau & Clemens, S.C., 3732 West Wisconsin Avenue, Suite 300, Milwaukee, WI 53208-3153, alleges that on June 21, 2007, Ms. Denton tripped and fell on a missing piece of the sidewalk at/near 1014 West National Avenue. They claim damages in the amount of \$75,905.11.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and those of the DPW Call Center relative to this incident. The ISD found that there was a gas valve owned by WE Energies in front of 1014 West National Avenue. That was likely patched by WE Energies and not the City of Milwaukee. There is no indication that at any time prior to the claimant's fall that the City of Milwaukee had any notice of any defect in that patch.

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The City had no notice of any alleged hazardous condition. As such, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2007-2032:155387