

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550
February 26, 2002

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
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
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
MELANIE R. SWANK

Assistant City Attorneys

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

Re: Communication from Attorney Mark L. Thomsen
on behalf of Virginia and Dennis Slottke
C.I. File No. 02-L-12, 02-L-12-1

Dear Council Members:

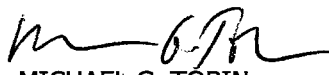
We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Virginia and Dennis Slottke, 2068 South 32nd Street, Milwaukee, WI 53215, allege through their attorney, Mark L. Thomsen, Post Office Box 1750 , Brookfield, WI 53008-1750, that on September 23, 2001, she sustained injuries when she tripped and fell on an uneven part of the sidewalk in the 3200 block of West Becher Street.

Our investigation reveals that the Infrastructure Services Division records from September 1, 2000 to September 23, 2001 show no complaints of sidewalk defects in the area where the claimant indicated she fell. Upon notification of a defect the division will send a repair crew to correct a hazard usually within 24 hours. Prior to this complaint, the City had no notice of this defect 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:smc
Enclosure