

# 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

**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**HAZEL MOSLEY**  
**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**  
**VINCENT J. BOBOT**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**DAWN M. BOLAND**  
**KATHRYN M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM STEPHENS**

**Assistant City Attorneys**

July 20, 2005

Tyhton M. Currie  
3450 North 42nd Street, # 4  
Milwaukee, WI 53216

RE: Tyhton M. Currie  
C.I. File No: 05-S-176

Dear Ms. Currie:

We have received your claim in the amount of \$1,496.15, relating to damage sustained to your vehicle on February 13, 2005 when you drove it into a pothole, located at North Sherman Boulevard and West Center Street.

Our investigation reveals that the Infrastructure Services Division records from February 13, 2004 to February 28, 2005 indicate that they conducted asphalt patching along the 2600 and 2700 blocks of North Sherman Boulevard as recently as February 1 and February 2, 2005. Their records also indicate that between February 13, 2004 and February 28, 2005 they received two complaints for this area. On December 30, 2004 they received a call from the Call Center about a sinkhole in the 2700 block of North Sherman Boulevard. A Street Maintenance crew patched this location with asphalt that same day and a crew patched it again on January 4, 2005. On January 27, 2005 the Call Center received a call about a low water cut at 2747 North Sherman Boulevard. This was patched on February 1 and February 2, 2005. A crew also patched any potholes in the roadway of the 2700 block of North Sherman Boulevard on May 5, 2005. When the division is notified of any hazard in the roadway, sidewalk or alley they will send a crew to investigate and/or patch the hazard. Prior to this, the City had no notice of this hazard in the roadway and because of this lack of notice; the City would not be liable. Therefore, we are denying your claim.

Tython M. Currie  
July 20, 2005  
Page 2

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

Very truly yours,



GRANT E. LANGLEY  
City Attorney

*Steven M. Carini*  
STEVEN M. CARINI  
Investigator Adjuster

SMC:beg  
1029-2005-1606:95006