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December 10, 2008

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

RE: Resolution relating to the claim of Judy Byrnes
C.I. File No.: 08-L-204

Dear Council Members:

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

Claimant, Judy Byrnes, 1119 North 21st Street, Milwaukee, WI 53233 alleges that on her own behalf that she sustained personal injuries on August 6, 2008 along the South 6th Street viaduct when she had a bicycle accident due to road debris in the bicycle lane. She claims damages in the amount of \$22,461.94.

Our investigation reveals that the Infrastructure Services Division searched the Call Center records for the period February 1, 2008 to October 1, 2008 relative to debris in the roadway for this area. They also conducted a site visit and nothing was found in the area. The Sanitation Department also checked their records and also found no information.

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The Sanitation Department sweeps the street approximately once per week in this area and had, in fact, swept the viaduct on the day before the accident.

The City had no notice of this alleged hazard along South 6th Street. Since the City lacked notice of this condition we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2008-3049:140185