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May 3, 2007

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

Re: Resolution relating to the Claim of Jane Frinzi
By American Family Insurance Co., her carrier
C.I. File No.: 07-S-90-1

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.

Claimant, Jane Frinzi, 2621 North Frederick Avenue, #101, Milwaukee, WI 53211, alleges through American Family Insurance Co., by its representative Tamara Koss, Casualty Senior Adjuster, P. O. Box 2027, Milwaukee, WI 53201-2927 as subrogee that on February 23, 2007 at North 76th Street and West Winfield Avenue, the insured's vehicle was damaged when it was involved in an accident due to an improperly secured manhole lid. They claim damages in the amount of \$6,733.00.

Our investigation reveals that Infrastructure Services Division-Sewer Maintenance responded to a request to replace a manhole lid at this location on the date in question. Upon arrival at the scene, the investigators found a communications lid removed from

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the manhole and broken into several pieces. A new lid was installed. Prior to this time, the City had no notice of this defect. Because of this lack of notice the City would not be liable and as such, we recommend denial of this claim.

Very truly yours,



GRANT F. LANGLEY
City Attorney



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Assistant City Attorney

MGT:beg
Enclosure
1029-2007-935:118712