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October 26, 2010

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

Re: Resolution Relating to the Claim of Starhoneeka Evans
C.I. File No. 10-L-103

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, Starhoneeka Evans, 3906 North Sherman Boulevard, Apt. #1, Milwaukee, WI 53216, alleges that on August 24, 2010, the gate at the Department of Public Works (DPW) Facility at 3850 North 35th Street closed on her vehicle as the driver of her vehicle was going through the gate. She claims damages in the amount of \$5,021.10.

Our investigation reveals that the Wisconsin Motor Vehicle Accident Report completed by the Milwaukee Police Department noted the driver of the vehicle may have sped up to beat the closing gate. The DPW records relative to this incident noted the gate did not malfunction on this date. Since the City was not negligent in this matter, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
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