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March 25, 2011

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

Re: Resolution Relating to the Claim of LOUISE BURDUE
C.I. File No. 10-L-71

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, Louise Burdue, by Attorney Randy Enochs, Siefert Law Center, 230 West Wells Street, Suite 610, Milwaukee, WI 53203, alleges that on or about April 26, 2010 the claimant's basement wall at the property located at 100 West Maple Street was damaged by a City contractor. They claim damages in the amount of \$11,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that the Department of Public Works – Infrastructure Services Street Maintenance did not have any maintenance projects at this location during the period of April and May, 2010. The reconstruction of South 1st Street between East Lincoln Avenue and South Kinnickinnic Avenue was a State of Wisconsin paving project, State ID No. 2219-00-70. Their contact information is the **State of Wisconsin Department of Transportation, District 2, Attention: Jason Roselle, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798**. The contractor involved is **Zignego Company, W226 N2940 Duplainville Road, Waukesha, WI 53186**. Since the City is not involved with the project, it cannot accept liability. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-2223:167653

OFFICE OF THE CITY ATTORNEY