

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

June 27, 2001

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

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

Re: Communication from Imogen I. M. Bergman
C.I. File No. 01-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, Imogen I. M. Bergman, W350 N5497 Lake Drive, Oconomowoc, WI 53066 on her own behalf alleges that on April 29, 2001, she fell on rocks on a City sidewalk located at 8131 West Nash Street. Ms. Bergman seeks \$750,000.00 for medical bills, pain and suffering.

Our investigation reveals that, prior to receipt of this claim, the City had not received any complaints concerning this location. The Infrastructure Services Division inspected the site on June 4, 2001 and did not observe any stones on the sidewalk or any evidence of excavations or construction. Since there was no prior notice concerning any sidewalk defect at this location, the City cannot accept liability. Accordingly, we recommend that this claim be denied.

Very truly yours,


GRANT F. LANGLEY
City Attorney


MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure