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June 13, 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 Henry G. Piano, her attorney  
C.I. File No.: 07-S-90-2

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, her attorney, Henry G. Piano, 611 North Broadway, Suite 304, Milwaukee, WI 53202 alleges that on February 23, 2007 at North 76<sup>th</sup> Street and West Winfield Avenue, Ms. Frinzi was involved in an automobile accident due to an improperly and negligently maintained manhole cover. They claim damages in the amount of \$50,000.00.

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



MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1029-2007-1060:120344