

September 3, 2003

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

Re: Communication from attorney Michael J. Hanrahan
on behalf of Michael & Marla Flynn
C.I. File No. 03-L-59

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.

Claimants, Michael & Marla Flynn, 3 Heritage Trace, Danville, IN 61834, allege through their attorneys Michael J. Hanrahan, Fox, O'Neill & Shannon, S.C., 622 North Water Street, Suite 500, that on January 11, 2003 Michael Flynn sustained injuries while he was a passenger in a City of Milwaukee Police vehicle. They claim damages in the amount of \$150,000.00.

Our investigation reveals that the Milwaukee Police were dispatched to the Times Square store in the Grand Avenue Mall regarding trouble with a man complaint. Mr. Flynn had a dispute with a store employee relative to a merchandise return policy. Mr. Flynn utilized his cell phone and dialed 911. The police officers on scene determined Mr. Flynn was going to receive a municipal citation for misuse of Emergency 911. The officers on scene agreed to convey Mr. Flynn and his daughter to search the garage for his vehicle. One of the officers recalls Mr. Flynn walked towards the squad with a noticeable limp. While being conveyed in a police vehicle, the

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transporting officer slowed and turned off West Michigan Street into the Grand Avenue Mall parking structure. In the process, the officer heard an “exaggerated thump” on the back of the driver’s seat and an “exaggerated ow”. The transporting officer stated the turn was made properly and none of the occupants in the squad had any problems due to the turning maneuver. The police officers involved in this incident followed normal and customary procedures, as such, the City would not be liable. 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
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