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January 19, 2012

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

Re: Resolution Relating to the Claim of MaryAnn Brannon
C.I. File No.: 10-S-221

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, MaryAnn Brannon, 9219 West Adler Street, West Allis, WI 53214, alleges through her attorney, Weigel, Carlson, Blau & Clemens, S.C., 3732 West Wisconsin Avenue, Suite 300, Milwaukee, WI 53208, that on June 2, 2010 she sustained injuries when she tripped and fell on an inground planter that was not level with the sidewalk at 1220 West Vliet Street. They claim damages in the amount of \$50,000.00.

Our investigation reveals the Infrastructure Service Division records indicate that after receipt of this claim, they conducted a site investigation of the sidewalks at 1220 West Vliet Street and did not find any tripping hazards along the sidewalks. The planter areas appear to be installed as they were designed. The City was not negligent in this matter. As such, it would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-2071:177365

OFFICE OF THE CITY ATTORNEY