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November 28, 2006

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

Re: Resolution relating to the claim of Sandra Haun
C.I. File No.: 06-L-77

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, Sandra Haun, 14280 Golf Parkway, Brookfield, WI 53005 alleges that on June 7, 2006 she sustained injuries when she tripped and fell on an uneven sidewalk at or near 1029 North Jackson Street. She claims damages on behalf of herself and her insurance company, United Health Care, P.O. Box 30551, Salt Lake City, UT 84130-0551, in the amount of \$18,347.83.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center for the period of June 7, 2005 to June 15, 2006. The ISD records reflected that on April 11, 2006 in response to a complaint they shimmed any offsets in the sidewalks along the 900 and 1000 blocks of North Jackson Street with asphalt. When the ISD is notified of a defect along the sidewalk they will

Honorable Common Council

November 28, 2006

Page 2

send a crew to investigate and patch the defect. Prior to this, the City had no notice of this alleged defect and because of this lack of notice; the City would not be liable. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1048-2003-1662:112540