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July 11, 2018

Kee Vang
1900 E. Broadway
Waukesha, WI 53186

Mailed
7-12-18

RE: C.I. File No. 1029-2018-1381
Communication from Kee Vang

Dear Mr. Vang:

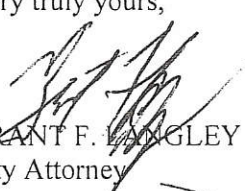
We are in receipt of your claim for damages sustained to your 2001 Lexus in the amount of \$475.30, which resulted from striking a pothole in the vicinity of 35th and Wisconsin on April 22, 2018.

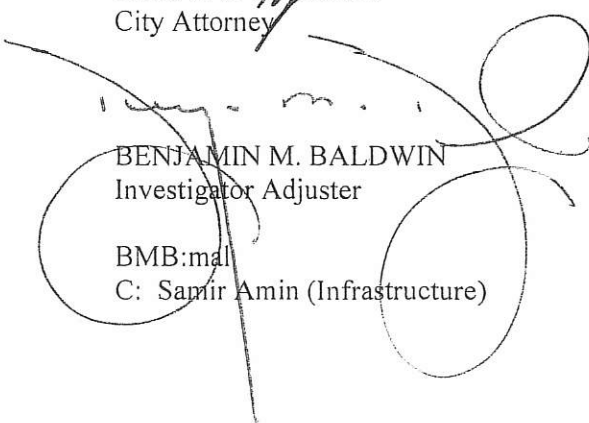
Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of defect, the Department of Public Works sends a crew to investigate and/or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of the Department of Public Works Call Center relative to this incident. Their investigation revealed that we had prior knowledge of a hazard, and it was patched in a timely fashion. ISD following their normal procedures and acting within its discretion in the repair of the pothole, coupled with the City's discretionary immunity, the City is not liable for your damages. As such, we are denying your claim for damages sustained to your vehicle from the April 22, 2018 accident.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,


GRANT F. LANGLEY
City Attorney


BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal
C: Samir Amin (Infrastructure)

1029-2018-1381:250848

