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November 28, 2011

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

Re: Resolution Relating to the Claim of the Estate of Cassandra Shaw  
C.I. File Nos. 11-L-65, 11-L-65-1 and 11-L-65-2

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.

Claimants, the Estate of Cassandra Shaw, and her children, Stephanie Shaw, 5518 North 33<sup>rd</sup> Street, Milwaukee, WI 53209, and Dionne Shaw, 4073 West Rivers Edge Circle, Brown Deer, WI 53206, allege through their attorney, Emile Banks and Associates, LLC, High Pointe, Suite 290, 1200 North Mayfair Road, Milwaukee, WI 53226, that on March 31, 2011 they sustained damages when the vehicle Cassandra Shaw was driving was struck by another vehicle. That vehicle disregarded a stop sign while it was being pursued by the Milwaukee Police Department. The claimants allege damages in the amount of \$250,000.00.

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Our investigation reveals that the police pursuit actions were within the scope of the officers' lawful discretion and they and the City are therefore immune from liability under Wisconsin law. In addition, the police were not negligent in this matter. As such, the City would not be liable. Therefore, we recommend that these claims be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1032-2011-2077:175530