

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

November 30, 2004

Nilda Quiroz
2825 North Holton, #404
Milwaukee, WI 53212

RE: Nilda Quiroz
C.I. File No: 04-S-336

Dear Ms. Quiroz:

We have received your claim in the amount of \$197.47, relating to damage sustained to your vehicle on/about July 26, 2004 when you allege a piece of curb located at/near 2826-28 North Holton was used to break your vehicle's windshield.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW "Call Center" for the period of July 26, 2003 to July 31, 2004. The "Call Center" search revealed the department did not receive any complaints for this time period for the roadway in the 2800 block of North Holton Street. The search did note a street maintenance crew removed damaged pavement, sidewalk and curb on or about July 12, 2004. The crew poured concrete for the curb and pavement on July 14, 2004. The sidewalk concrete was poured on July 20, 2004 and all barricades for the work site were removed by July 23, 2004. The crew members indicated all of the debris from this project was removed from the construction site prior to the barricades being removed. The ISD followed normal procedures in this matter. When the ISD is notified of a hazard in the roadway a crew is sent to investigate and/or remove the hazard. Prior to your loss the City had no notice of this defect, and because of this lack of notice, it cannot accept liability, as such; we are denying your claim.


Nilda Quiroz
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If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
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