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November 18, 2011

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

Re: Resolution Relating to the Claim of Matt Sisson
C.I. File No.: 11-L-79

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, Matt Sisson, 9445 North Spruce Road, Milwaukee, WI 53217, by his attorney, Mark A. Schoenfeldt, 135 West Wells Street, Suite 604, Milwaukee, WI 53203, allege that on June 5, 2011 Mr. Sisson sustained injuries and pain and suffering due to the City of Milwaukee's alleged negligent maintenance of a public roadway/pothole along East Ogden Avenue near North Milwaukee Street. They claim damages in the amount of \$150,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that prior to June 5, 2011, the City had no notice of this hazard in the roadway 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

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2011-2562:175655

OFFICE OF THE CITY ATTORNEY