

CITY OF MILWAUKEE

Form CA-43

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May 9, 2002

To the Honorable Common Council
of the City of Milwaukee
Room 205-City Hall

Re: Communication from Rory R. & Megan W. Collins
Claim No. 00-L-44

Dear Council Members:

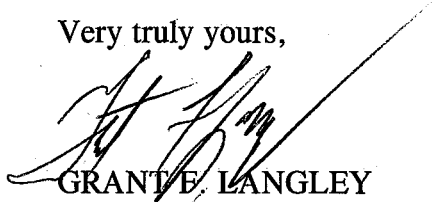
We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Rory R. & Megan W. Collins, 3219 South Poplar Lane, Appleton, WI 54915, allege that on November 9, 1999 he sustained injuries when he stepped into a hole in the road at the southwest corner of Jackson Street and Juneau Avenue. They claim damages in the amount of \$6,418.75.

Our investigation reveals that the Infrastructure Services Division records from November 9, 1998 to November 30, 1999 show no complaints of road defects in the area where the claimant indicated he was injured. Upon notification of a defect the division will send a repair crew to correct a hazard usually within 24 hours.

Prior to this complaint, the City had no notice of this defect and because of this lack of notice, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT E. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure