

October 13, 2003

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

Re: Communication from Theresa Stettler
C.I. File No. 03-L-130

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, Theresa Stettler, 4143 South 54th Street, Milwaukee, WI 53220-3109, alleges that on July 21, 2003 she broke her wrist when she fell on an uneven sidewalk in front of 4076 South 56th Street. She claims damages in the amount of \$6,000.00.

Our investigation reveals that there was no record of any complaint with the Infrastructure Services Division regarding a defect at this site for one year prior to this incident. Upon notification of this claim a street maintenance crew “shimmed” the sidewalk in front of 4076 South 56th Street with asphalt. When the division is notified of any hazard in the roadway or

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sidewalk they will send a crew to investigate and/or patch the hazard. Prior to this complaint the City had no notice 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 F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

RMO:beg
Enclosure
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