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February 11, 2011

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

Re: Resolution Relating to the Claim of Nan Markowski
C.I. File No. 10-L-143

Dear Council Members:

We return the enclosed documents 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, Nan Markowski, 1617 North Prospect Avenue, Milwaukee, WI 53202, alleges through her attorney, Gende Law Offices, S.C., N28 W23000 Roundy Drive, Suite 200, Pewaukee, WI 53072, that on August 8, 2010 she sustained injuries when she fell on an uneven area of the sidewalk on Brady Street which is on the north side of 1640 North Farwell Avenue. They claim damages in the amount of \$15,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that prior to August 8, 2010, the City had no notice of this hazard in the sidewalk and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2010-3054:166227

OFFICE OF THE CITY ATTORNEY