

GRANT F. LANGLEY
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CITY OF
MILWAUKEE
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July 3, 2019

Mary Alice Quigley
3706 S. 71st Street
Milwaukee, WI 53220

Mailed
7-11-19

RE: C.I. File No. 1029-2019-1032
Communication from Mary Alice Quigley

Dear Ms. Quigley:

We are in receipt of your claim for damages to your 2007 Hyundai Elantra that resulted from striking a pothole in the vicinity 105 N. Water Street on April 6, 2019 in the amount of \$1400.72, in which you are seeking the return of your insurance deductible of \$250.00.

Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for the damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of Public Works Call Center relative to this incident.

Their investigation revealed that we had prior knowledge of a hazard, but that notice was provided only five days before your incident. Upon notice, it was patched in a timely fashion. ISD following their normal procedures and acting within its discretion in the repair of the pothole, coupled with the City discretionary immunity, the City is not liable for your damages. As such, we are denying your claim for damages.

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

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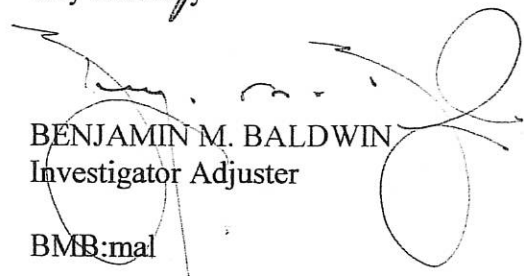
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include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT F. LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

1029-2019-1032:260679

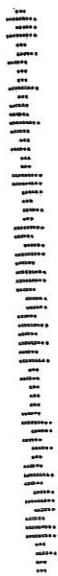


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