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February 23, 2010

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

Re: Resolution Relating to the Claim of STATE FARM INSURANCE CO. on
behalf of MICHELLE WILLIAMS
C.I. File No. 07-S-368

Dear Council Members:

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

Claimant, State Farm Insurance Company, Attn: Beth DeRosier, Claim Representative, P.O. Box 82613, Lincoln NE 68501-2613, allege on their behalf and that of their insured, Michelle Williams, that Williams was involved in an auto accident on August 28, 2007 at North 15th Street and West State Street because she ran the stop sign at this location which was damaged and not visible to southbound traffic. They seek a contribution in this matter for a claim in the amount of \$37,068.18.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and those of the DPW Call Center relative to this incident. The accident report reflected that the ISD responded to the accident scene on that date and repaired the stop sign. The ISD records reflected that it had no prior notice of the damaged stop sign. Since the City had no notice of this condition, it cannot be held liable, as such, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2007-2807:155398

OFFICE OF THE CITY ATTORNEY