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August 28, 2018

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

Re: C.I. File No. 1029-2018-1603  
Communication from: Society Insurance by its representative  
Jay Worth  
150 Camelot Drive  
P.O. Box 1029  
Fond du Lac, WI 54936-1029

Society Insurance alleges that on July 3, 2018 their insured's worker sustained injuries when she tripped and fell on a defective sidewalk at 2968 North 9<sup>th</sup> Street. Claimed damages total \$10,000.00.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. Under discretionary immunity, the City is generally not liable for damages.

City records indicated that prior to July 3, 2018 the City had no notice of this hazard in the sidewalk. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for the damage. Therefore, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



PATRICIA A. FRICKER  
Assistant City Attorney

PAF:mal  
Enclosure

c: Samir Amin (Infrastructure)  
1029-2018-1603:252056

