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September 29, 2008

Enrique Gómez
P.O. Box 04932
Milwaukee, WI 53204

RE: Enrique Gómez
C.I. File No: 08-S-380

Dear Mr. Gómez:

We have received your claim in the amount of \$2,000.00, relating to damage to your vehicle after it allegedly collided with a pothole on April 3, 2008 at or near South Kinnickinnic Avenue and East Lincoln Avenue.

Our investigation reveals the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center relative to this incident. They found that Wisconsin Gas Company, 5400 West Green Bay Avenue, Milwaukee, WI 53209, 414-540-5141 was issued Public Way Excavation Permit 200805-0337 for repair work at 2359 S. Kinnickinnic Avenue.

The ISD also reviewed their records relative to pothole issues. They found that they had patched potholes along the 2300 block of South Kinnickinnic Avenue on March 14, 2008 pursuant to an observation by a City employee. Since the City was not involved in the noted construction and it followed standard procedures and was acting with its discretion, the City cannot accept liability and we are denying your claim.


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

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

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