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February 11, 2010

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

Re: Resolution Relating to the Claim of SEAN WATSON  
C.I. File No. 09-L-122

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, Sean Watson, 1104 West Chambers Street, Milwaukee, WI 53206, alleges that he allegedly slipped on a traffic island that was not properly repaired at/near North 11<sup>th</sup> Street and West Burleigh Street on September 17, 2009. He claims damages in the amount of \$25,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records and the records of the DPW Call Center and found prior to September 17, 2009 the City had no notice of this hazard in the roadway and because of this lack of notice the City would not be liable. The ISD patched this location on October 23 and October 26, 2009 once it became aware of this hazard. We recommend denial of the claim.

Very truly yours,

**GRANT F. LANGLEY**  
City Attorney

**JAN A. SMOKOWICZ**  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2009-2794:154959

OFFICE OF THE CITY ATTORNEY