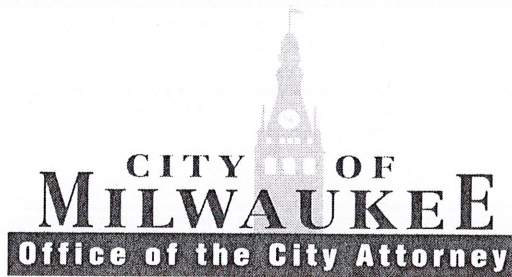


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November 1, 2022

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

RE: Communication from Erie Insurance on behalf of
HAPPY PAWS GROOMING AND DAY CARE, LLC
C.I. File No. 1029-2021-1528

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be referred to the Committee on Judiciary and Legislation with the following recommendation.

Erie Insurance alleges that their insured, Happy Paws Grooming and Daycare, LLC incurred damages to their vehicle in the amount of \$56,467.47, that resulted after their insured drove over a light pole that had been knocked over in a previous accident in the area of North MLK Drive and West Center Street on August 11, 2021.

Our investigation revealed that the Milwaukee Police Department(MPD) responded to notice of an accident in the area of North MLK Drive and West Center Street at approximately 1:31 a.m. on August 11, 2022. A MPD squad arrived at the location and began investigating a two car accident. Because this accident resulted in a downed light pole and electrical wires, MPD contacted Department of Public Works (DPW) Street Lighting Division to restore lighting to the area and secure the pole. A DPW crew arrived at the site at approximately 1:55a.m. and began the process of restoring the street lighting and moving the pole. This required them to temporarily leave the scene to turn off the electricity. A second accident involving claimant's insured vehicle occurred before the site could be restored.



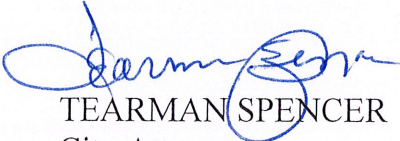
The Honorable Common Council- Happy Paws

November 1, 2022

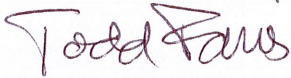
Page 2

It is our position that since there is no evidence that the City of Milwaukee was negligent regarding the cause of or response to these two accidents, the City is not liable for damages in this case. Therefore, we recommend that this claim for \$56,467.47 be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



TODD FARRIS
Deputy City Attorney

PK/kdb
1029-2021-1528/282411