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Assistant City Attorneys

November 20, 2006

Kevin Otto  
400 North Broadway, 4th Floor  
Milwaukee, WI 53202

RE: Kevin Otto  
C.I. File No: 06-S-311

Dear Mr. Otto:

We have received your claim in the amount of \$3,764.99, relating to damage allegedly sustained to your vehicle on September 15, 2006 while you were traveling eastbound on St. Paul Avenue near 2<sup>nd</sup> Street.

Our investigation reveals that the Infrastructure Services Division (ISD) indicates that they did not have any maintenance projects at West St Paul Avenue and North 2<sup>nd</sup> Street during September 2006. In conjunction with the reconstruction of the Marquette Interchange the State of Wisconsin had a contractor performing work on West St. Paul Avenue. The ISD believes that on or about September 15, 2006 the contractor had scarified asphalt along this roadway in preparation of placing new asphalt. You may have hit a manhole where the asphalt around the cover was scarified. Please contact the State of Wisconsin Department of Transportation, Waukesha Transportation District 2, and Attn: Donald Reinbold, 141 NW Barstow Street, P. O. Box 798, Waukesha, WI 53187-0798. A copy of your claim paperwork and photographs will be sent to you separately. Since your loss does not involve the City of Milwaukee, it cannot be held liable. Therefore, we are denying your claim.

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

Very truly yours,



GRANT E. LANGLEY  
City Attorney

*Steven M. Carini*

STEVEN M. CARINI  
Investigator Adjuster

SMC:beg  
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