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March 1, 2007

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

Re: Resolution relating to the claim of James Krockner
& Patricia Henke-Krockner
By their Attorney McNally Law Offices, S.C.
C.I. File No. 06-L-22

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, James Krockner and Patricia Henke-Krockner, S75 W13127, Oxford Court, Muskego, WI 53150 alleged through their attorney, McNally Law Offices, S.C., 633 West Wisconsin Avenue, Suite 2000, Milwaukee, WI 53203 that on December 1, 2005 she sustained injuries when she slipped and fell on an icy and snow covered walkway located at 951 North James Lovell Street. They claim damages in the amount of \$113,600.00.

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Our investigation reveals that pursuant to Wisconsin Statute §893.83(1) the accumulation of ice and snow did not exist for the requisite twenty-one days. As such, the City of Milwaukee cannot accept liability. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-2006-573 & 573.001:116334