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February 8, 2011

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

Re: Resolution Relating to the Claim of Joyce Olden
C.I. File No. 10-S-415

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.

Claimant, Joyce Olden, 3250 North 36th Street, Milwaukee, WI 53216, alleges that in late July or early August, 2010 she was being pushed in a wheelchair that went over a pothole. This caused her to fall out of the wheelchair into the pothole near the alley between 35th and 36th and Auer Avenue. She claims damages in the amount of \$10,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that prior to late July or early August, 2010, the City had no notice of this hazard in the roadway and because of this lack of notice, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

JAS:ms
Enclosure
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