

CITY OF MILWAUKEE

Form CA-43

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May 22, 2002

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

Re: Communication from Attorney Eugene Detert
on behalf of Stanley and Kathleen C. Drabeck
C.I. File No. 01-L-61

Dear Council Members:

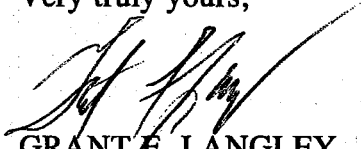
We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.


Claimants, Stanley and Kathleen Drabeck, by their attorney Eugene Detert, 12065 West Janesville Road, Hales Corners, WI 53130, alleges that on December 18, 1999, claimant Kathleen C. Drabeck suffered bodily injuries when she slipped and fell in the roadway at approximately 3456 South Pennsylvania Avenue. They claim damages in the amount of \$49,813.09.

The Infrastructure Services Division records indicated there was no request to repair or patch the roadway in the 3400 block of South Pennsylvania Avenue for one year prior to this incident.

The City of Milwaukee had no notice of the allegedly defective condition. Because the City did not have any notice, it cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,


GRANT F. LANGLEY
City Attorney


MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure

cc: Cindy Wikoff, Senior Claims Rep.
Meridan Resource Corp.
20725 Watertown Road
Waukesha, WI 53186