

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

May 14, 2008

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

Re: Resolution relating to the claim of Tony M. & Amy M. Nice
Through their attorney, Wurtz, Roth, Basler & Brock, S.C.
C.I. File No. 08-S-12

Dear Council Members:

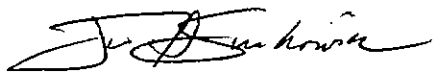
We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Tony M. & Amy M. Nice, 266 South Main Street, Cedar Grove, WI 53013 allege through their attorney, Wurtz, Roth, Basler & Brock, S.C., 641 Riverfront Drive, Sheboygan, WI 53081 that on November 5, 2007 he sustained injuries when a City light pole fell from a bridge onto the vehicle he was driving while it traveled below. They claim damages in the amount of \$100,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that prior to November 5, 2007 the City had no notice of this hazard 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


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2008-56:132902