GRANT F. LANGLEY City Attorney

LINDA ULISS BURKE VINCENT D. MOSCHELLA DANIELLE M. BERGNER MIRIAM R. HORWITZ Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

May 6, 2015

Mr. Dale Cannon 4339 North 99th Street Wauwatosa, WI 53222

Re:

C.I. File No. 1029-2015-1204

Communication from DALE CANNON

Dear Mr. Cannon:

The City of Milwaukee is in receipt of the claim for damages you incurred as a result of a defect in a sidewalk or street on April 10, 2015 while you were traveling northbound on 92<sup>nd</sup> Street at about Marion.

Based on 2011 Wisconsin Act 132, Wisconsin municipalities are immune from liability for any damage that occurs on or after April 5, 2012 due to a defect in a sidewalk or street. Although the city is immune from liability for damages, the city takes any report of defective streets or sidewalks seriously. Therefore, your claim has been forwarded to the Department of Public Works so city staff may inspect the area in question and repair any defect as promptly as possible.

For the reasons stated above, we are denying your claim. If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk,

THOMAS O. GARTNER STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER HEIDI WICK SPOERL **KURT A. BEHLING** GREGG C. HAGOPIAN ELLEN H. TANGEN JAY A. UNORA MARYNELL REGAN KATHRYN Z. BLOCK ADAM B. STEPHENS **KEVIN P. SULLIVAN** THOMAS D. MILLER JARELY M. RUIZ **ROBIN A. PEDERSON** MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNING PETER J. BLOCK NICHOLAS P. DESIATO JOANNA GÍBELEV JENNY YUAN T.C. MAKAYA KAIL J. DECKER ALLISON N. FLANAGAN LA KEISHA W-BUTLER Assistant City Attorneys



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200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

GRANT FANGLEY

City Attorney

stevenm-carini

STEVEN M. CARINI Investigator Adjuster

SMC:cdr

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