

GRANT F. LANGLEY
City Attorney

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

**CITY OF
MILWAUKEE**
Office of the City Attorney

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 27, 2008

Lynn Brown
4612 North 53rd Street
Milwaukee, WI 53218

RE: Lynn Brown
C.I. File No: 08-S-309

Dear Ms. Brown:

We have received your claims in the amount of \$190.82 and \$527.75, relating to damage sustained to your vehicle when it collided with a pothole on November 19, 2007 and March 12, 2008. The first incident allegedly occurred along North 76th Street and the second happened along the 6700 to 6900 blocks of North 91st Street.

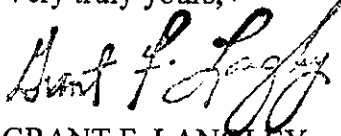
Our investigation reveals this claim was filed on March 28, 2008. Wisconsin Statute §893.80 (1)(a) requires that a claim must be filed within 120 days after the happening of the event giving rise to the claim, as such the first claim was not filed timely. In addition, the Infrastructure Services Division (ISD) records indicate this is a Milwaukee County Highway under the jurisdiction of Milwaukee County. You may wish to contact the Milwaukee County Highway Engineer, 10320 Watertown Plank Road, Wauwatosa, WI 53226. Since your loss does not involve the City of Milwaukee it cannot be held liable.

The investigation further reflected in regards to your second claim. The ISD checked their records and the records of the DPW Call Center. They found the ISD was notified of potholes along the 6900 and 7000 blocks of North 91st Street on March 11, 2008. The ISD patched this location on March 13, 2008. They followed their normal procedures and the City was acting within its discretion. Therefore, we are denying your claim.

Lynn Brown
May 27, 2008
Page 2

If you wish to appeal this decision, you may do so by sending a letter within 21 days to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1029-2008-1116 & 1116.001:133412