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February 9, 2016

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

Re: C.I. File No. 1029-2016-38  
Communication from: Eric Perkins  
1531 A North 38<sup>th</sup> Street  
Milwaukee, WI 53208

Dear Council Members:

Eric Perkins alleges that on December 16, 2015 he drove into an excavated area near W. Vliet and N. 24<sup>th</sup> Streets. Claimed damages total \$44,353.33.

Infrastructure Services Division records indicate that Street Maintenance was performing pavement repairs in the roadway along the 2300 block of West Vliet Street. This repair was in the parking lane, bike lane and approximately two feet of the driving lane along West Vliet Street. They properly barricaded this excavation and placed appropriate warning signs.



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The City was not negligent in performing this work, and the claimant failed to exercise ordinary care. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

PATRICIA A. FRICKER  
Assistant City Attorney

PAF:cdr

Enclosure

c: Jeffery Dellemann (Infrastructure)

1029-2016-38/225162