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August 7, 2018

Charles H. Davis
4169 N. 16th Street
Milwaukee, WI 53209

Mailed
8/8/18

RE: C.I. File No. 1029-2018-1561
Communication from Charles H. Davis

Dear Mr. Davis:

We are in receipt of your claim for damages sustained to your 2008 Cadillac DTS in the amount of \$639.72, which resulted from striking a pothole in the vicinity of Green Bay Avenue and Capitol, and 210 W. Capitol on July 5, 2018 and July 15, 2018 respectively.

Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and /or patch, repair, or barricade the hazard. Under discretionary immunity, the City is generally not liable for the damages.

The Infrastructure Services Division (ISD) conducted and concluded their investigation into this matter by reviewing their records along with the records of the Department of Public Works Call Center relative to this incident. Their investigation revealed that we had prior knowledge of a hazard on North Green Bay Avenue and West Capitol Drive. Records revealed that ISD had patched this location on July 10, 2018 pursuant to calls received on June 29, 2018 and July 5, 2018 regarding potholes near this location.

As to the hazard at 210 W. Capitol, their investigation revealed that the City had no notice of this hazard in the roadway prior to July 15, 2018. In both cases as it relates to the July 5th and July 15th occurrences, the City's discretionary immunity and ISD following their normal procedures as to acting within its discretion as to repairs of newly reported and previously repaired potholes, we are denying your claim for damages sustained to your vehicle from the July 5, 2018 and July 15, 2018 incidents.

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, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please


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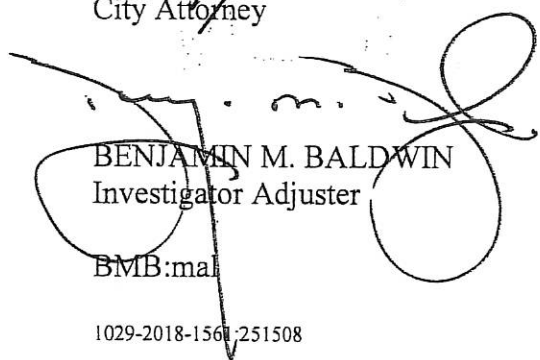
Charles H. Davis
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include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT LANGLEY
City Attorney



BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

1029-2018-1561;251508