**GRANT F. LANGLEY**City Attorney

MIRIAM R. HORWITZ ADAM B. STEPHENS MARY L. SCHANNING JAN A. SMOKOWICZ Deputy City Attorneys



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October 16, 2018

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

Re: C.I. File No.1029-2018-1985

Communication from: Matthiesen, Wickert & Lehrer, S.C.

Atty. Ashton T. Kirsch 1111 E. Sumner Street P.O. Box 270670

Hartford, WI 53027-0670 on behalf of

Nicholas Hunt

2722 N. Avondale Boulevard

Milwaukee, WI 53210

## Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Matthiesen, Wickert & Lehrer, S.C. alleges that on May 26, 2018 their client sustained injuries when he was involved in a motor vehicle accident while traveling northbound on South 2nd Street at West Mineral Street. They allege that the intersection was not safely designed and that excessive vegetation limited visibility. Claimed damages exceed the statutory cap of \$50,000.00.

There is no evidence that the City was negligent in this matter and the allegations raise issues involving discretionary immunity. The City would not be liable. Therefore, we recommend that this claim be denied.

PATRICIA A. FRICKER **HEIDI WICK SPOERL GREGG C. HAGOPIAN ELLEN H. TANGEN** JAY A. UNORA KATHRYN Z. BLOCK **KEVIN P. SULLIVAN** THOMAS D. MILLER **ROBIN A. PEDERSON** JEREMY R. MCKENZIE PETER J. BLOCK JOANNA FRACZEK **JENNY YUAN** KAIL J. DECKER **ALLISON N. FLANAGAN** PATRICK J. LEIGL **HEATHER H. HOUGH** ANDREA J. FOWLER PATRICK J. MCCLAIN **NAOMI E. GEHLING CALVIN V. FERMIN BENJAMIN J. ROOVERS ELLENY B. CHRISTOPOULOS RACHEL S. KENNEDY** TYRONE M. ST. JUNIOR HANNAH R. JAHN **SAVEON D. GRENELL** JULIE P. WILSON **GREGORY P. KRUSE** Assistant City Attorneys

SUSAN E. LAPPEN



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Very truly yours,

GRANT F. LANGLEY City Attorney

PÁTRICIA A. FRICKER

Assistant City Attorney

PAF:mal Enclosure

Joseph Blakeman (Infrastructure) c:

Samir Amin (Infrastructure)

Ian Brown (Forestry)

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