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July 24, 2019

Nathaniel and Diana Greene
10035 W. Terra Avenue
Milwaukee, WI 53224

RE: C.I. File No. 1029-2019-897
Communication from Diana and Nathaniel Greene

Dear Mr. and Mrs. Greene:

We are in receipt of your claim for damages to your 2006 Jeep Grand Cherokee in the amount of \$3,523.81 that resulted from striking a pothole in the vicinity of North 91st Street, just south of West Bradley Road on March 15, 2019.

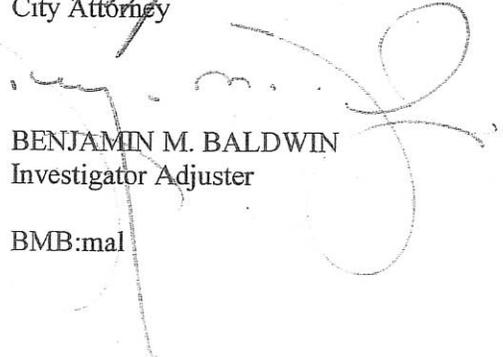
Wisconsin municipalities have discretionary immunity from liability for any damages that are due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of the defect, the Department of Public Works sends a crew to investigate and or 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 Public Works Call Center relative to this incident. Their investigation revealed that we had prior knowledge of a hazard, and it was patched in a timely fashion. ISD following their normal procedures and acting within its discretion in the repair of the pothole, coupled with the City's discretionary immunity, the City is not liable for your damages. As such, 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, 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 F. LANGLEY
City Attorney


BENJAMIN M. BALDWIN
Investigator Adjuster

BMB:mal

mailed
7-26-19

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