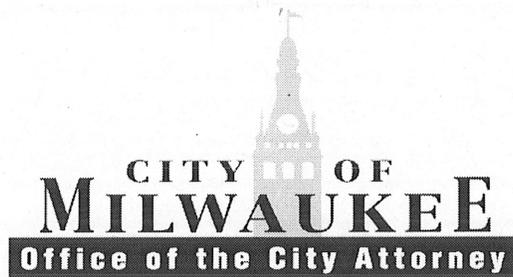


**GRANT F. LANGLEY**  
City Attorney

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



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

**SUSAN E. LAPPEN**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**GREGG C. HAGOPIAN**  
**JAY A. UNORA**  
**KATHRYN Z. BLOCK**  
**KEVIN P. SULLIVAN**  
**THOMAS D. MILLER**  
**ROBIN A. PEDERSON**  
**JEREMY R. MCKENZIE**  
**PETER J. BLOCK**  
**JENNY YUAN**  
**ALLISON N. FLANAGAN**  
**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**  
**JULIE P. WILSON**  
**GREGORY P. KRUSE**  
**KIMBERLY A. PRESCOTT**  
**SHEILA THOBANI**  
**KATRYNA C. RHODES**  
**NICOLE F. LARSEN**  
**JAMES M. CARROLL**  
**WILLIAM G. DAVIDSON**  
**MEIGHAN M. ANGER**  
**ALEXANDER R. CARSON**  
Assistant City Attorneys

September 16, 2019

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

Re: Communication from Victoria Jones  
C.I. File No. 1029-2019-1635

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

On July 26, 2019, between the hours of 8:15 pm and 8:30 pm, Ms. Victoria Jones was driving a Lime Scooter northbound on Vliet Street, in Milwaukee, Wisconsin. When she came to the corner of 20<sup>th</sup> Street and Vliet, she made a left turn. After completing her turn, the front wheel of the scooter struck a pothole, causing Ms. Jones to fall off the scooter, incurring injuries to right knee, and leg. Ms. Jones has issued a demand for \$90,000.00 to \$100,000 for injures she incurred from her July 26, 2019 accident.

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 between July 1, 2019 and July 26, 2019. City records indicated that prior to July 26, 2019 the City had no notice of this hazard in the



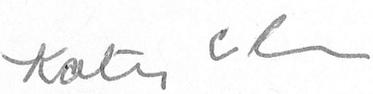
Honorable Common Council  
September 16, 2019  
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roadway. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for damages. As such, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



KATRYNA C. RHODES  
Assistant City Attorney

KCR:mal  
Enclosure

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