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NOTICE OF DISALLOWANCE OF CLAIM

October 22, 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Daniel Komorowski
8814 W. Cleveland Avenue
West Allis, WI 53227

RE: Notice of Claim filed: October 5, 2019
Date of Injury: September 29, 2019

Dear Mr. Komorowski:

The City Attorney's Office investigated your claim and determined that the City was not able to admit liability. Therefore, our office has concluded your claim is to be disallowed and denied. The reason(s) for the decision to disallow your claim includes, but is not limited to, the following:

In this instance the City has discretionary immunity as it relates to highway and road maintenance. This immunity means the City can decide when and how to repair the road. In this instance the City is not liable for the unknown issue with the water cap being displaced. As soon as the City was aware of the issue it was fixed as you pointed out in your claim.

The City is not required to provide an explanation for its decision to disallow a claim, but one is provided so you know how the claim was evaluated. The City is required by law to inform you that no lawsuit may be brought on this claim against the City of West Allis or any of its officials, officers, agents or employees after six months from the date of service of this letter.

Sincerely,

Rebecca Hammock
Principal Assistant
City Attorney

cc: City Clerk's Office