FINANCE
ITEM # VI.B.9.

CITY OF HUDSON
RESOLUTION NO. 10-12
DISALLOWANCE OF CLAIM OF GARY R. REYNOLDS

WHEREAS, a Notice of Injury and Circumstances of Claim was filed on November 17, 2010, and a claim was filed on April 24, 2012 in the City of Hudson Clerk's office; and

WHEREAS, in said documents, Gary R. Reynolds claims damages in the amount of $75,000 alleging personal injury damages against the City, its officers, agents, and employees, arising out of injuries Mr. Reynolds claims he suffered when he fell on a portion of a curb in the City of Hudson on October 27, 2010. The claimant further alleges that said damages were caused by the negligence of City of Hudson and City of Hudson employees; and

WHEREAS, after a review of this matter by the City of Hudson Common Council, City Attorney, and the City's insurer, it is recommended that the claim be denied. The reason(s) for this denial include, but are not limited to: 1) the City was not negligent in this matter; 2) the City is not responsible for any damages because the investigation shows that the City had no actual or constructive notice of defect, if any, in the curb; 3) the claimant's own negligence caused any injury/damages allegedly suffered by the claimant. The City reserves its right to assert any and all defenses and claims that may be available to the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Hudson, Wisconsin that the claim submitted by Gary R. Reynolds, 1622 Aldrich Avenue, Hudson, WI be and the same is hereby disallowed. No action on this claim may be brought against the City of Hudson or any of its officers, officials, agents or employees after six months from the date of service of this notice upon you, pursuant to Sec. 893.80(1g) of Wisconsin Statutes.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the claimant and claimant's attorney, if any, by certified mail, return receipt requested, as a Notice of Disallowance.

Dated this 15th day of May 2012.

APPROVED:

_____
Alan D. Burchill, Mayor

ATTEST:

_____
Nancy J. Korson, City Clerk

cc: (Via Certified Mail Return Receipt Requested):
Gary R. Reynolds
1622 Aldrich Avenue
Hudson, WI 54016

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