

Rachelle Blich

From: Allison C. De Franze <allisond@cvmic.com>
Sent: Friday, May 15, 2026 3:51 PM
To: Rachelle Blich
Subject: Krupa v City of Whitewater

Hi Rachelle,

I am in receipt of the claim that has been filed by Sean Krupa against the City of Whitewater, for damages incurred as the result of his vehicle striking a pothole on 4/29/2026. As you are aware, the city is self-insured for claims up to \$25,000, and should the city decide to settle this claim, any settlement would come from city funds.

Based on the information that I have received, it is my understanding that the city does take corrective action to repair defects in city streets when they are made aware of problems. In this case, the city had no notice of any dangerous or unsafe condition in this area, prior to the date of this incident. Therefore, the city is meeting the standard of reasonable care, which is the standard that municipalities are held to.

Additionally, the city is immune from liability under Wis. Stat. 893.80 (4), which provides immunity for discretionary actions by municipalities. When, how and how often a municipality inspects, maintains and repairs their streets is a discretionary decision, for which the city would have immunity based on the above statute.

As such, it is my recommendation that this claim be denied.

Should you have questions regarding this matter, please feel free to contact me.

Thank you,