

CITY OF MILWAUKEE  
RECEIVED

October 5, 2009

2009 OCT -8 PM 2:33

**Claim Against the City of Milwaukee**

OFFICE OF  
CITY ATTORNEY

On June 18, 2009 there was a sever rain storm in the City of Milwaukee. At 3:34a.m, claimant Leondis Fuller was awaken by the powerful rain. As he walked through his home where he and his wife Darlene resides he heard the sub pump going on in the lower level (basement). At that time he visually observed the water which was over 12" deep, covering at least 2 of the bottom steps. Realizing there was nothing he could do at the time, he went back and laid down in frustration, due to this being the second time in two years this has occurred. The next morning following the rain storm, Leondis went downstairs and noticed the water going down, but what was most disturbing was backed up raw sewage was left behind; it was horrible. There were clothes from the laundry room, shoes from the walk-in closet, as well as carpet, computer hard-drive, big screen television, leather furniture, the grandchildren's toys, other stored merchandise and potential mold surrounding the entire basement. All items listed were damaged and destroyed.

Darlene and Leondis reside at 2234 W. Galena St. Milwaukee, WI. 53205. Sewage back-up occurred on June 7, 2008 and June 18, 2009. Prior to these two years there hasn't been any problem. The statement of relief sought is in the form of money as well as verification from the City of Milwaukee that this problem has been repaired and resolved, as far as with the sewer system. An itemized statement of lost items as well as damages and repairs involve to residential dwellings, which is additional living space for our family. Money sought is \$30,000.00.

Email address Leondis Fuller: LFULLER1@wi.rr.com  
Email address Darlene Fuller: DSFULL3@wi.rr.com  
Telephone number: 414-933-0947

Claimant signature: *Leondis Fuller*  
Claimant signature: *Darlene Fuller*

CITY OF MILWAUKEE  
09 OCT - 7 AM 10:49  
RONALD D. LEONHARDT  
CITY CLERK

**June 18, 2009 Sewage Damage**

<b>Item</b>	<b>Date of Purchase</b>	<b>Price</b>
Big Screen TV (55PP9352)	11/29/2002	\$1955.00 + Tx
2 separate 4-piece Luggage Sets	2003	\$225.00 pr set
Leather Sectional Living Rm	09/04/2003	\$2399.85
Dell Desk Top Computer	12/2002	\$1400.00
Clothing/Shoes	02/2007-06/2009	\$1500.00
Pastor's Study Materials (Books)	2005-2009	\$455.00
Christmas Ornaments	2006-2008	\$300.00
Christmas Tree with Lights	11/2007	\$199.00
Carpet in Walk-In Closet	08/2008	\$55.00
New Home Interior Items	02/2008	\$79.00
Kids Toys	12/2008	\$350.00
<b>Total Approximately</b>		<b>\$9142.85</b>

FAX: 414-540-0608

**BOONE'S CONSTRUCTION - GENERAL CONTRACTORS**  
LICENSED - BONDED - INSURED  
7600 N. RANGE LINE RD, GLENDALE, WI 53209  
CELL: 414-738-3211

HOME: 414-540-0607

Proposal Submitted To:

Rev. Leonide Fuller

Date: May 27, 2009

Address:

Job Location: 2224 W. Galena, Milwaukee, WI 53205

Phone No: 414-303-1903

Customer Fax: 414-874-2826

Cell:

Job Number

We hereby submit specifications and estimates for:

Finish Basement Water Damaged Area 22ft x 35 ft = 770 sq.ft.

Demo all outer drywall 4ft above floor

Areas 770 sq ft (Kitchen, all closets, bathroom, and open areas)

Treat all the areas 4ft above the floor for water damage and mold

Replace all demo drywall with new

Tape, mud, sand and finish all new drywall.

**Kitchen**

Remove all base cabinets, countertops, sinks and fixtures

Treat open areas for water damage and mold

Reinstall base cabinets, countertops, sink and fixtures

\$15,600.00

Note: All water damaged materials will be replaced with new. Paint all new drywall back to its original color.

Total Labor & Materials:

\$15,600.00

This offer has been accepted by:

(Sign & Date) Owner:

Contractor:

# American

Date: 9/04/2002 Page 1  
 Sale Num: 09042155481  
 Doc Date: 09/04/2002 08:08pm

Bill to:  
 DARLENE SPREWER  
 2234 W GALENA ST  
 MILWAUKEE, WI 53205 MILWAUKEE

Ship to:  
 Same

*Almond Doc 14m*

Cust Code: (SPRE223A) Tax Nr:

Delivery Dates: ~~CALL AMTV~~

Home Ph#: 414-233-0947 Bus Nr: 414-303-1983 xCELL Slsp: JEK - JOHNNY K

Qty	SKU#	Vend Description	Model	Size	Finsh	St Loc	PDL	Promotion	Price	Extended
1	3320734EE	ALBA RECL SOFA-F:L14	730-01-LM-	L140-			J D		999.95	999.95

Special order item is not part of the 6 week Express program.  
 If an item is returned from your package purchase, the prices on the remaining items will be their individual selling prices.

1	982600009	LPS SOFA - LTHR PLU SOFA					J D		0.00	0.00
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Leather Plus Limited 7 year protection plan against accidental staining or damage. To obtain service or advice, contact the Stainsafe Company at 800-521-8555. Damage or Stains must be reported within 5 days of the incident.  
**COVERED:** Accidental Stains from household foods, beverages, human and pet bodily fluids, ball point pen ink, or damage due to cracking, peeling, rips, tears or burns.  
**NOT COVERED:** Anything not specifically mentioned as covered. Damage caused by animals (with the exception of bodily fluids) fading or discoloration, misuse or abuse, general soiling, chewing gum, accumulation or stains, buildup of perspiration and body oils, furniture in transit or storage.

1	333659906	ALBA FULL SLEEPER-F: 730-45-LM-	L140-				J D		999.95	999.95
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Special order item is not part of the 6 week Express program.  
 If an item is returned from your package purchase, the prices on the remaining items will be their individual selling prices.

1	982600009	LPS SOFA - LTHR PLU SOFA					J D		0.00	0.00
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1	334808411	ALBA WEDGE-F:L140-58	730-35-LM-	L140-			J D		399.95	399.95
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Special order item is not part of the 6 week Express program.  
 If an item is returned from your package purchase, the prices on the remaining items will be their individual selling prices.

1	982600011	LPS LOVESEAT - LTHR LOVESEAT					J D		0.00	0.00
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**COVERED:** Accidental Stains from household foods, beverages, human and pet bodily fluids, ball point pen ink, or damage due to cracking, peeling, rips, tears or burns.

\*\*\* Sale continued on Page 2 \*\*\*

American's Satisfaction Policy • American's 110% Price Guarantee • American's Performance Guarantee  
 See Back of Yellow Sales Receipt for American's Contract Promises To You, Restrictions and Limitations.



BAVBSR01

\*\*\* SEARS STATEMENT TRANSACTION \*\*\*

\*\*\* REFERENCE REPORT \*\*\*

REPORT DATE : 11/16/06

STATEMENT DATE: 20021214

PAGE : 1

ACCDUNT: 5121075017113981

LEONDIS FULLER

CUSTOMER ID : 69418544142

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ACCT TYPE: PRE STATUS: CVAVFU
NOW DUE :          0.00   SCHED          NEW BAL :          1,955.00
BAL LMT  :          1,955.00   PAYMT:          0.00   PRV BAL :          0.00
                                     CASH          BALANCE
CASH LMT :          196.00   BAL :          0.00   TRN AHT :          0.00
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Sale Date	Post Date	Transaction Description/ Reference Number	Amount
11/29	11/30	PRDTECTIDN AGREEMENT PTV 55PP9352 DELIVERY CHARGES PRDMOTIDNAL SALE 20021129001082*157 1610  0571931162ER	1,955.00
		***FINANCE CHARGE ON AVERAGE DAILY BALANCE DF:	0.00
		CURRENT BALANCE :	1,955.00
		NEW BALANCE :	1,955.00
		DELAYED SALES :	0.00

*Big Screen Television*



**Additional Information for Claim # 09L115**

October 28, 2009

To: Robert Overholt  
Claim Adjuster

Re: Claim #09L115  
Sewage back-up Fuller's Home

Dear Robert Overholt,

I am writing this brief memo pursuant to our conversation regarding a missing item on the original claim. This item was an oversight due to my wife, Darlene nor myself, Leondis usage of our Treadmill. When an attempt to use it at a time that was convenient to us it did not work. We did have a maintenance repair agreement with Sears on the item and the technician saw that it was not repairable and provided us with a receipt of its value (\$700.00), as well as the cause of damage; which we knew was a result of the flooding sewage water. Receipt is enclosed.

Mr. Overholt as I also mentioned in our conversation, "This was the second time the sewage backed up in our home within the last 2 years causing foundation damage. There have been some apparent sewage repairs in our area due to a change in sewage needs. For many years there was a Sentry Food store on the corner of 20<sup>th</sup> and Walnut St., which extended to 22<sup>nd</sup> and Walnut/Galena St. The closed, vacant store was torn down in 2005 through 2007 and a plan to build residential home was made. The sewage system began receiving some sort of services during this time and our problems began. Hopefully an investigation in this matter will be made, because there was no previous sewage back up problem prior to this. Other residence have experienced back up problems as well and we all experience some lost and damages.

Respectfully,

*Rev. Leondis Fuller, MS*

Rev. Leondis Fuller, MS  
2234 W. Galena Street  
Milwaukee, WI 53205

(414) 933-0947

SEARS HOME SERVICES

State Reg #: Not Applicable

WESTERN GREAT LAKES  
4260M S. 76TH STREET  
GREENFIELD, WI 53220  
(800) 4MY-HOME

Sears #: 0008182 Oct 19, 2009

Technician ID: 0003426  
Service Order Number: 80858335

LEONNIS FULLER  
2234 W CALENA ST # NOEN  
MILWAUKEE, WI 53205  
(414) 933-0947

MOUSE: TREADMILL POWER 1YR  
Brand Name: PROFORM  
Model Number: 831293060  
Serial Number: R62131629  
Service Requested:  
BELT WILL NOT MOVE WHEN SPEED IS DEPRESS

Technician Comments:  
Other:: unit damaged by flooding in  
basement, not repairable total loss  
valued at \$700

Labor Performed - Protection Agreement:  
Special \$ 99.00  
Total Labor \$ 99.00

This Repair is valued at: \$ 99.00  
This Service Performed at No Charge

Customer Approval:

We care how well we did.  
Your feedback is appreciated at:  
[www.searshomeservices.com/feedback](http://www.searshomeservices.com/feedback)

Thank you for calling  
SEARS HOME SERVICES

Warranty, Claims/Part History Statement  
District #: 0008182 Tech #: 0003426  
SO #: 80858335 Call Code: 20  
Arrv: 12:51 Depart: 13:14  
Model #: 831293060  
Serial #: R62131629  
99999Y SP Special \$ 99.00