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July 25, 2024

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

RE: Communications from PAM FERDERBAR and TOM BAMBERGER
C.I. File No. 1048-2024-826

Dear Sir or Madam:

Pam Ferderbar and Tom Bamberger allege that on January 3, 2024, they experienced up to 18" of water back up in their basement of their property located at 422 W. National Avenue. The claimant has submitted a claim for their personal items of \$3,265.50. American Family Insurance submitted their subrogation interest on behalf of their insureds for reimbursement of repairs in the amount of \$32,397.36.

We have completed our investigation into this matter with Milwaukee Water Works (MWW) and Sewer Maintenance, when they responded to a backwater call on January 3, 2024, located at 422 W. National Avenue.

MWW crews confirmed the break located on the public side of a 3" branch valve that serviced Vieau Public School located at 823 S. 4th Street and made repairs after clearance was received from Diggers Hotline.

The next day, the sewer was CCTV examined and cleaned. Stone chips were found that came from the lateral at 823 S. 4th Street. There were no prior issues with the sewer lateral and no other work done at this location.



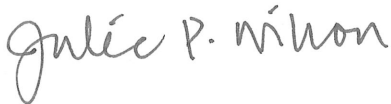
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It is our view that the cause of the branch break was not related to any negligent acts or omissions of the city of Milwaukee. It further reflects that the City was not negligent with respect to their response time, manner of repairs or attempts to minimize consequential damages, and therefore the City is not legally liable for damages. Accordingly, we recommend that the claim be denied.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Evan C. Goyske", with a long horizontal flourish extending to the right.

EVAN C. GOYKE
City Attorney

A handwritten signature in dark ink, appearing to read "Julie P. Wilson", written in a cursive style.

JULIE P. WILSON
Deputy City Attorney

ECG/JPW/MTG/cdr

Enclosures

1048-2024-826/292394