

November 3, 2003

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from attorney Michael P. Stupar
on behalf of M&R Properties, LLC
C.I. File No. 03-L-85

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, M&R Properties LLC, 850 Golden Meadow Ct, Brookfield, WI 53045 alleges through their attorneys Stupar, Schuster & Cooper, S.C. that on or about March 12, 2003 they sustained damage to their property located at 3306 West Highland Blvd., Milwaukee, WI 53208 due to a water main break. They claim damages in the amount of \$10,000.00.

Our investigation reveals that on March 7, 2003 the Milwaukee Water Works (MWW) was notified of a possible service leak in the area of 3306 West Highland Blvd. The MWW investigated and determined the leak was on the owner's side of the

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service. A notice was issued on March 10, 2003 to the owner by the MWW to repair the leak. Since the leak was on the owner's side of the service, it is their responsibility for repair and any damage that occurred due to the leak. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1048-2003-2116:74330