

June 28, 2005

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

Re: Communication from American Family Insurance  
On behalf of Beatrice Bratkowski  
C.I. File No. 05-L-100

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, Beatrice Bratkowski, 612 West Abbott Avenue, Milwaukee, WI 53221, alleges through American Family Insurance, by its representative Michele Gengler, Post Office Box 2927, Milwaukee, WI 53201-2927 as subrogee that on January 20, 2005 a City water main break caused water and sewage to back-up into the claimant's basement. They claim damages in the amount \$10,379.32.

Our investigation reveals that the Milwaukee Water Works records indicate that a possible water main break in the street in front of 632 West Abbott Avenue was reported to them at approximately 8:32 a.m. on January 20, 2005. Their investigator was immediately dispatched to the scene and water service to the affected water main section was turned off at 9:15 a.m. Utility

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services were marked by Diggers Hotline at 10:48. a.m. and repair work began a short time later. The Milwaukee Water Works was not negligent regarding their response, repair or minimization of damages. As such, the city would not be liable. Therefore, recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
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