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September 24, 2008

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

Re: Resolution relating to the claim of Bobbie J. Lathan
C.I. File No. 08-L-74

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, Bobbie J. Lathan, 5064 North 26th Street, Milwaukee, WI 53209 alleges that on June 7, 2008 she sustained damages when a City sewer backed up into her basement. She claims damages in the amount of \$20,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that because of the large amount and strong intensity of the rain during the weekend of June 7, 2008, the City experienced flows that exceeded the capacity of the sewer systems. The City was not negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

JAS:beg
Enclosure
1029-2008-2610:137463