

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
Assistant City Attorneys

October 2, 2006

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

Re: Resolution relating to the claim of AT&T
By Debbie Griffiths, Risk Manager
C.I. File No.: 06-S-216

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, AT&T, by its representative Debbie Griffiths, Risk Management Office, 2140 Davidson Road Floor 1, Waukesha, WI 53186 alleges that on June 21, 2006 their underground cable and duct near 4th Street and St. Paul were damaged when the City excavated in the area for water facilities. They claim damages in the amount of \$48,083.93.

Our investigation reveals that the Milwaukee Water Works (MWW) was excavating to repair an 8-inch main gate on the northeast corner of North 4th Street and West St. Paul Avenue on June 21, 2006. The MWW crew inadvertently damaged the claimant's buried cable and duct package which was located two feet below the water main. The cable and duct package was properly marked prior to the excavation. The claimant has agreed to

To the Hon. Common Council
October 2, 2006
Page 2

accept 80% of their claim, which is \$38,467.14. Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1048-2006-2087:109750