



DIAMOND PUBLIC ADJUSTERS, LLC

"A CUT ABOVE THE REST"

Office 262-880-4968

Email: djdadjuster@aol.com

January 23, 2025

City of Milwaukee
Attn.: Claims
200 E. Wells Street, Room 205
Milwaukee, Wisconsin 53202-3567

Reference:	Client:	Gary Baker/Joyette Speirs
	Date of Loss:	December 31, 2024
	Loss Location:	8350 W. Derby Place Milwaukee, Wisconsin 53218

Greetings,

I am the representative for Gary Baker and Joyette Speirs regarding their claim for damages against the City of Milwaukee for a sewer backup that occurred to the location of 8350 W. Derby Place, Milwaukee, Wisconsin on December 31, 2024.

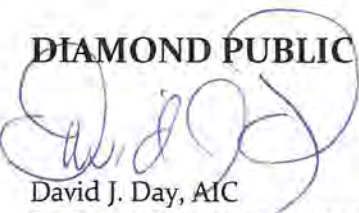
According to our investigation, the City of Milwaukee Sewer Utility Service was performing work on the sewer system located directly in front and adjacent to the loss location. This work resulted in the back up of sewage and water through the basement drain and into the building. Significant damages to the building and personal property occurred as a result.

Please find our submission of claim for the damages to the property. Included in this claim presentation are the Circumstances of Claim report, invoices, estimates and photographs to support our contention that the City of Milwaukee Sewer Utility is responsible for the damages.

Please review our information and advise of any questions or concerns. If you should have any questions, please feel free to call me at 262-880-4968. We look forward to working with you to resolve this matter.

Thank you for your attention in this matter.

DIAMOND PUBLIC ADJUSTERS, LLC


David J. Day, AIC
Sr. Property Loss Consultant

CITY OF MILWAUKEE
2025 JAN 21 P 1:05
CITY CLERK'S OFFICE

CIRCUMSTANCES OF CLAIM



CLIENT: Gary Baker / Joyette Speirs
DATE OF LOSS: December 31, 2024
LOSS LOCATION: 8350 W. Derby Place
Milwaukee, Wisconsin 53218

Prepared by  Diamond Public Adjusters, LLC

CITY OF MILWAUKEE
Attn.: Claims
200 E. Wells Street, Room 205
Milwaukee, Wisconsin 53202-3567

CITY OF MILWAUKEE
2025 JAN 27 P 1:06
CITY CLERK'S OFFICE

NOTICE OF CIRCUMSTANCES OF CLAIM

Name: Gary Baker / Joyette Speirs
Address: 1023 Cheswick Drive
Guernee, Illinois 60031
Phone: 847-502-7183
Email: g33baker@gmail.com

Incident/Accident Information

Date: December 31, 2024
Time: 04:36 AM
Place: 8350 W. Derby Place
Milwaukee, WI 53218

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary.) For auto damages, attach a copy of police report, if any, and a diagram of the accident scene indicating north, south, east or west corners if the accident occurred at an intersection. For bodily injury, indicate nature of injury, whether or not medical attention was given and the name of the treatment provider. Identify any witnesses to the incident/accident.

On or about December 31, 2024 at approximately 04:36 AM, the building located at 8350 W. Derby Place, Milwaukee, Wisconsin experienced water and sewage backing up through the basement drains. The sewer backup resulted in approximately up to 12 inches of sewage water in the basement. Milwaukee Fire Department was notified and arrived to scene.

Plumber was dispatched to the site to perform a camera inspection of the basement drain. No obstructions were observed in the drain line by the plumber. Further investigation shows that the City of Milwaukee was performing services to the sewer/water systems in the area following the incident date in question. We believe that the City of Milwaukee caused the backup of the sewer/drain lines resulting in the damages to the building and mechanical systems. Damages consisted of, but not limited to a Category 3, Class 4 (See attachment) water event causing damages to the building structure, heating and plumbing fixtures, business personal property and tenant's personal property. Due to the building having no heat and no water to the building, emergency services were performed to those systems to re-establish vital services to the building.

Please note, this claim does not include damages to the tenant's personal property and we make no warranties or declarations as to the type and amount of damages to tenant's personal property.

Signed:

Gary R. Baker
Gary Baker - Principal Owner

Date: January 21, 2025

CLAIM

NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Circumstances of Claim you may file a claim with the City at any time consistent with the applicable statute of limitations. However, in order for the City to formally accept or deny your claim at this time, the following claim must be completed and signed.

The undersigned hereby makes a preliminary claim against the City arising out of the circumstances described above in the amount of:

Building - \$42,153.93

Business Personal Property - \$178.24

Total - \$42,332.17

To process this claim it is necessary to detail all damages being sought.

Signed:

Gary R. Baker
Gary Baker - Principal Owner

Date: January 21, 2025

Address: 1023 Cheswick Dr., Guernee, IL 60031

CITY OF MILWAUKEE
Attn.: Claims
200 E. Wells Street, Room 205
Milwaukee, Wisconsin 53202-3567

NOTICE OF CIRCUMSTANCES OF CLAIM

Name: Gary Baker / Joyette Speirs
Address: 1023 Cheswick Drive
Guernee, Illinois 60031
Phone: 847-502-7183
Email: g33baker@gmail.com

Incident/Accident Information

Date: December 31, 2024
Time: 4:36 AM
Place: 8350 W. Derby Place
Milwaukee, WI 53218

ATTACHMENT

Category 3. "Black Water" contains disease-causing organisms, toxins, and is grossly unsanitary. Typical black water conditions occur from a sewer back flow, a broken toilet bowl containing feces, and rising flood waters. (Rising flood water is considered Category three because of the possibility of chemicals and organisms found in lawn chemicals, fertilizers, animal feces, decaying ground debris, and over filled sewer and septic systems.)

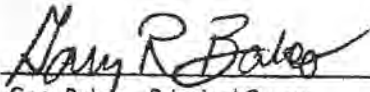
Tetanus and other serious diseases are likely to be present in rising flood waters. The water restoration technician must wear personal protection equipment. Affected objects such as carpet, padding, and Sheetrock must be removed and disposed. A biocide must be applied to kill micro-organisms on site.

Class 4. Water is bound in the material or is inaccessible to conventional air movers. Advanced techniques and specialty equipment is required, as well as longer time periods. Examples of bound water includes water-soaked hardwood floor planks, water wicked in sheetrock walls covered with a vinyl wall covering, paneling, or an oil based paint. Inaccessible areas include the cavities beneath and behind cabinets, inside of walls and crawlspace's, etc.

Sources

- Falling rain Usually considered clean water/ Category 1
- Leak in ceiling As rain contacts dirt, rodent feces, etc. changes to Category 2 or 3.
- Washing machine, dishwasher Clean water from hook-up Category 1, water from drain Gray water Category 2
- Water heater Usually Category 1, unless floor is dirty or it has been neglected over time (rotting wood, mold, etc.)
- Toilet over-flow with urine (no feces) Gray water category 2
- Sewer back-up with feces Black water/ Category 3. May contain 100s of bacteria and virus types, including HIV.
- Rising flood waters. Black water Category 3 due to coming in contact with disease and chemical toxin found on the ground (fertilizers, pet feces, etc.)

Signed:


Gary Baker - Principal Owner

Date: January 21, 2025

Address: 1023 Cheswick Dr., Guernee, IL 60031

P.J.'s Plumbing Co., Inc
W294 N6359 Wallschlager Way
Hartland, WI 53029
Phone: 262-367-2357



INVOICE

paul@pjsplumbing.com MP License #225387 Building Contractor Reg. ID #1145799	DATE	INVOICE #
	1/11/2025	I-214508-1

BILL TO
Smart Asset Realty 200 W. Main Street Waukesha, WI 53186

JOB ADDRESS
8350 W. Derby Place Milwaukee, WI 53218

TERMS	DUE DATE	PROJECT
Net 15	1/26/2025	8350 W. Derby Place (4 Family) -
ITEM	DESCRIPTION	
Travel Charge1 Video Inspection	Travel Charge on 1-2-2025 Camera inspection of building drain/sewer lateral WO#121314-3	
Thank you for your business. Please reference your invoice number when submitting payment!!		Sales Tax (7.9%) \$30.34
		Total \$414.34

P.J.'s Plumbing Co., Inc
W294 N6359 Wallschlagel Way
Hartland, WI 53029
Phone: 262-367-2357



INVOICE

paul@pjsplumbing.com MP License #225387 Building Contractor Reg. ID #1145799	DATE	INVOICE #
	1/11/2025	I-214508-2

BILL TO
Smart Asset Realty 200 W. Main Street Waukesha, WI 53186

JOB ADDRESS
8350 W. Derby Place Milwaukee, WI 53218

TERMS	DUE DATE	PROJECT
Net 15	1/26/2025	8350 W. Derby Place (4 Family) -
ITEM	DESCRIPTION	
Proposal	We hereby propose to furnish all labor and materials for the installation of plumbing at the project above. All the materials are to be as specified, or their equivalent, and will be installed in a neat, workmanlike manner per the State of Wisconsin plumbing code. All hot and cold water distribution piping to be PEX. All drain, waste, and vent piping to be PVC. The complete job consists of the following	
Travel Charge1	Travel Charge	
HydroJetting	High Pressure Water Drain Clearing Attempt on 1-3-2025 WO#121314-3	
Thank you for your business. Please reference your invoice number when submitting payment!!		Sales Tax (7.9%) \$95.51
		Total \$1,304.51

P.J.'s Plumbing Co., Inc
W294 N6359 Wallschlager Way
Hartland, WI 53029
Phone: 262-367-2357



INVOICE

paul@pjsplumbing.com MP License #225387 Building Contractor Reg. ID #1145799	DATE	INVOICE #
	1/11/2025	I-214508-5

BILL TO
Smart Asset Realty 200 W. Main Street Waukesha, WI 53186

JOB ADDRESS
8350 W. Derby Place Milwaukee, WI 53218

TERMS	DUE DATE	PROJECT
Net 15	1/26/2025	8350 W. Derby Place (4 Family) -
ITEM	DESCRIPTION	
Proposal	We hereby propose to furnish all labor and materials for the installation of plumbing at the project above. All the materials are to be as specified, or their equivalent, and will be installed in a neat, workmanlike manner per the State of Wisconsin plumbing code. All hot and cold water distribution piping to be PEX. All drain, waste, and vent piping to be PVC. The complete job consists of the following	
Travel Charge	Travel Charge	
HydroJetting	High Pressure Water Drain Clearing Attempt	
	No warranty is applicable to piping deemed to be in poor condition	
	Work Order#121314-3	
Thank you for your business. Please reference your invoice number when submitting payment!!		Sales Tax (7.9%) \$63.91
		Total \$872.91



Smart Asset Management LLC
200 W Main Street
Waukesha, WI 53186
262-232-8738

INVOICE

Invoice #: #119638-1
Invoice date: 1/14/2025
Job: Basement Clean

Bill to: Gary Baker/Joyette
Address: Speirs
Place
Milwaukee, WI
Phone:

Item #	Description	Qty	Measurement	Unit price	Discount	Price
Emergency Services	Emergency Service Call	1	EA	\$229.00		\$229.00
	Water Extraction - Cat 3	1914	SF	\$0.88		\$1,684.32
	Debris Removal - Labor	18	HR	\$69.64		\$1,253.52
	Trucking - Haul	1	EA	\$190.67		\$190.67
	Protective Gear	10	EA	\$13.47		\$134.70
Remediation						
	Remove/Reset Appliances	6	EA	\$53.63		\$321.78
	Clean walls and floor	3339	SF	\$0.43		\$1,435.77
	Clean Electric Meters	5	EA	\$24.35		\$121.75
	Powerwash surfaces	1914	SF	\$0.46		\$880.44
	Apply microbial treatment	2146	SF	\$0.34		\$729.75
	Final Clean	1914	SF	\$0.38		\$727.32
General / Clerical						
	Clerical/Management / Overhead	8%		\$7,709.02		\$616.72

Invoice Subtotal	\$8,325.74
Tax Rate	7.90%
Sales Tax	\$657.73
Deposit Received	\$0.00
TOTAL	\$8,983.48

Please make all checks payable to "SmartAssetManagement"

Total due in 90 days. Overdue accounts subject to a service charge of 1.5% per month.

alex@smartassetrealty.com | www.smartassetrealty.com

Customer Receipt

KET Home Services

17913 W. Winnebago Dr. Wildwood, IL. 60030

www.kethomeservices.com	847-772-8193	e-mail: knthms5@sbcglobal.net	Date
Customer name: Gary Baker	Phone: 847-502-7183		01/03/2025
Address: 8350 W. Derby Ln. Milwaukee WI			Invoice #
			98842
Scope of work :			
4 - HEIL MODEL # N80MSN0701712A 80% 70,000 BTU FURNACE			
	Material total=		
Notes:			
All equipment comes with a 20 year heat exchanger warranty,			
a 10 year factory supplied warranty (after registration) and KET Home services			
will provide a 3 years labor warranty on any repairs (not including cleanings).			
	Total Hours=		
	x Hourly Rate		
	Labor Total=	\$0.00	
	Total Bill=	\$12,750.00	

P.J.'s Plumbing Co., Inc
W294 N6359 Wallschlager Way
Hartland, WI 53029
Phone: 262-367-2357



INVOICE

paul@pjsplumbing.com MP License #225387 Building Contractor Reg. ID #1145799	DATE	INVOICE #
	1/11/2025	I-214508-3

BILL TO
Smart Asset Realty 200 W. Main Street Waukesha, WI 53186

JOB ADDRESS
8350 W. Derby Place Milwaukee, WI 53218

TERMS	DUE DATE	PROJECT
Net 15	1/26/2025	8350 W. Derby Place (4 Family) -
ITEM	DESCRIPTION	
Proposal	We hereby propose to furnish all labor and materials for the installation of plumbing at the project above. All the materials are to be as specified, or their equivalent, and will be installed in a neat, workmanlike manner per the State of Wisconsin plumbing code. All hot and cold water distribution piping to be PEX. All drain, waste, and vent piping to be PVC. The complete job consists of the following	
Travel Charge	Travel Charge	
PROG40S-38N RH 62	Professional Classic Atmospheric 40 Gallon Natural Gas Water Heater with 6 Year Limited Warranty	
PROG40S-38N RH621	MODEL # PROG40S-38N RH62	
PROG40S-38N RH621	Rheem 40 gallon short gravity vent	
PROG40S-38N RH621	Rheem 40 gallon short gravity vent	
	Rheem 40 gallon short gravity vent	
	WO #121314-3	
	Serial#: M502402426	
	Serial#: M502402427	
	Serial#: M502402432	
	Serial#: M502402433	
Thank you for your business. Please reference your invoice number when submitting payment!!		Sales Tax (7.9%) \$589.26
		Total \$8,048.26

P.J.'s Plumbing Co., Inc
W294 N6359 Walschläger Way
Hartland, WI 53029
Phone: 262-367-2357



INVOICE

paul@pjplumbing.com MP License #225387 Building Contractor Reg. ID #1145799	DATE	INVOICE #
	1/11/2025	1-214508-4

BILL TO
Smart Asset Realty 200 W. Main Street Waukesha, WI 53186

JOB ADDRESS
8350 W. Derby Place Milwaukee, WI 53218

TERMS	DUE DATE	PROJECT
Net 15	1/26/2025	8350 W. Derby Place (4 Family) -
ITEM	DESCRIPTION	
Proposal	We hereby propose to furnish all labor and materials for the installation of plumbing at the project above. All the materials are to be as specified, or their equivalent, and will be installed in a neat, workmanlike manner per the State of Wisconsin plumbing code. All hot and cold water distribution piping to be PEX. All drain, waste, and vent piping to be PVC. The complete job consists of the following	
sump pump1	20 Volt, 1-1/2" Discharge; 1/2" Solid Handling, 10' Cord, Manual (No Switch), 50 GPM @ 10' TDH Manufacturer JMI Pump Systems SKU PVL-EC-MAN 3 year warranty	
AZP-MAG-UN15	Check Valve - Silent - PVC - Glue In - True Union. 1 1/2"	
Travel Charge	Travel Charge Work Order #121314-3	
Thank you for your business. Please reference your invoice number when submitting payment!!		Sales Tax (7.9%) \$47.08
		Total \$643.08

MENARD GURNEE
6401 GRAVITY AVENUE
GURNEE, IL 60031

KEEP YOUR RECEIPT
RETURN POLICY VARIES BY PRODUCT TYPE

For all sales, add below allowable returns for
this receipt will be in the form
of a store credit voucher if the
return is done after 10/15/23

For questions regarding the
charges on this receipt, please
email us at:

GURNEE@menards.com



ale Transaction
Dehumidifier

169.99

40PINKIE STAIR LIFTER
6235312

MENARD REBATE NO: 634617986

Remaining Balance: \$0.00

MENARD REBATE NO: 634744462

Remaining Balance: \$0.00

TOTAL 165.04

TAX GURNEE-IL 8% 13.20

TOTAL SALE 178.24

CHASE VISA 6270 178.24

Auth Code: 001710

Chip Inserted

ac00000031010

75 178.24 130692035

TOTAL NUMBER OF ITEMS = 3

THE FOLLOWING REBATE RECEIPTS WERE
PRINTED FOR THIS TRANSACTION:
3035

GUEST COPY

The Cardholder acknowledges receipt of
goods/services for the total amount of
hereby agrees to pay the card issuer
according to its current terms.

THIS IS YOUR CREDIT CARD SALES SLIP
PLEASE RETAIN FOR YOUR RECORDS.

THANK YOU, YOUR CASHIER, Gisela

63787 02 7389 07/17/24 02:29PM 3085



9:12

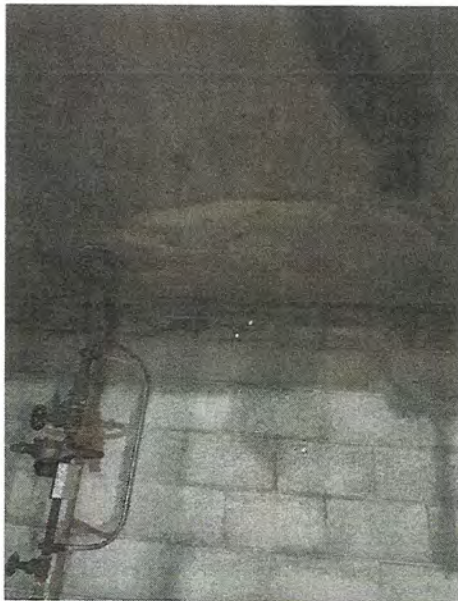


Close

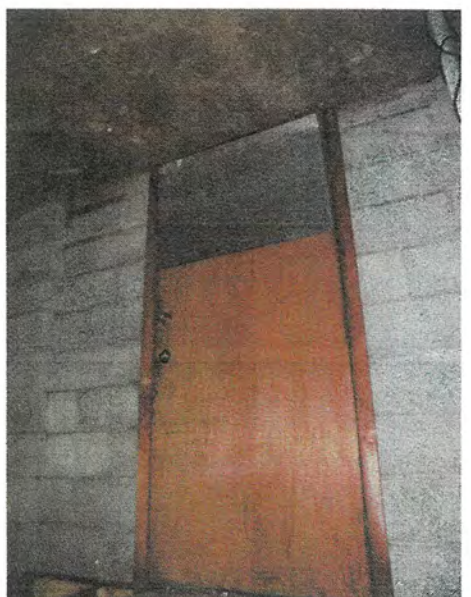
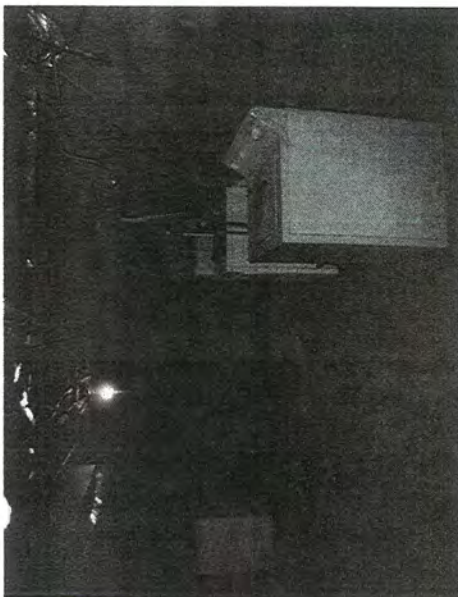
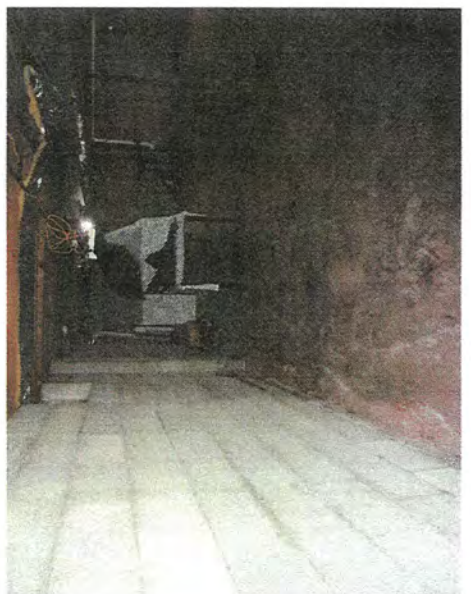
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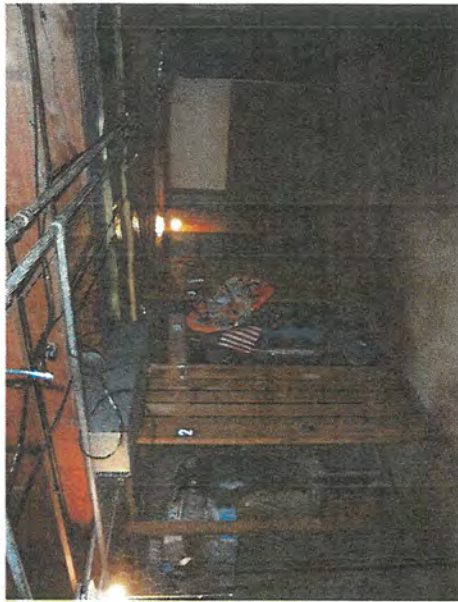




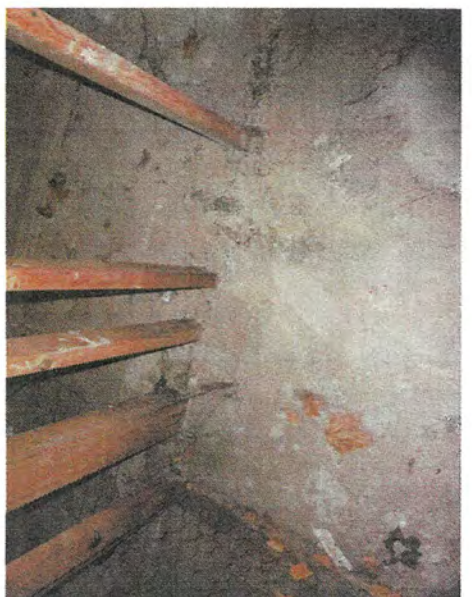


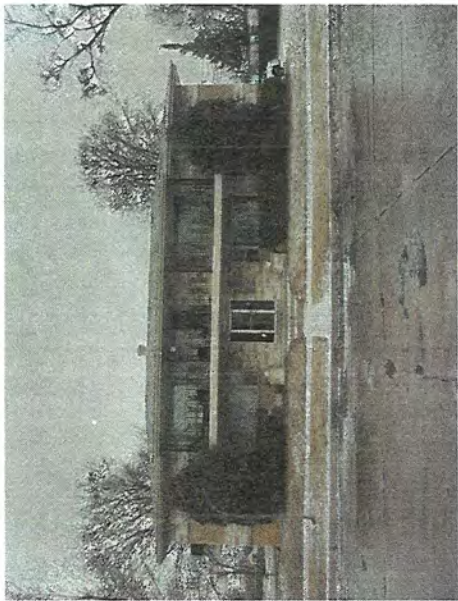


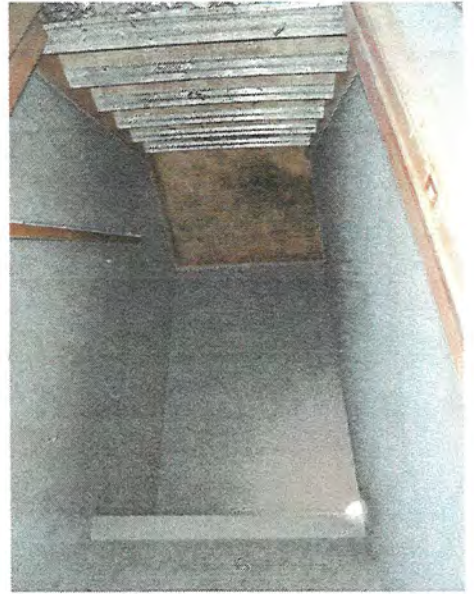


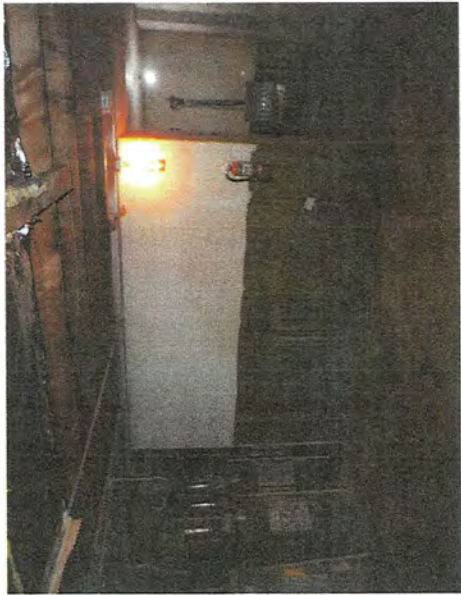


















HOME	SEARCH	SUMMARY	INTERIOR	EXTERIOR	ABOUT
------	--------	---------	----------	----------	-------

Taxkey	Building type	Lot size	thru	Total value	thru
Street name derby	Year built	thru	Fin size	thru	Sale price
					thru

[Print page 1 of 1](#)

**Click on the Column Headings to sort accordingly.
Click on the Parcel ID to view the parcel detail.**

<u>Taxkey</u>	<u>Location</u>	<u>Owner</u>	<u>Built Type</u>	<u>Total Value</u>	<u>Beds Baths</u>	<u>Lot size Fin area</u>	<u>LUC Description</u>	<u>Sale date Sale price</u>
2240915000	8350 W DERBY PL	GARY BAKER JOYETTE SPEARS	1966 AP1 (Conventional Apt with 4-6 Units)	\$257,000	5 0	7,920 0	7 Mercantile Apartments	9/18/2017 \$227,959

[Print page 1 of 1](#)