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September 1, 2009

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

Re: Resolution relating to the claim of Makisha Cooper
C.I. File No. 09-L-63

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, Makisha Cooper, 2420 West Chambers Street, Milwaukee, WI 53206 alleges that on June 18, 2009 she sustained damages when there was a sewer back-up at her home. She claims damages in the amount of \$9,250.00

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The ISD received a backwater complaint for this address on June 19, 2009. Ms. Cooper still had water in her

To the Hon. Common Council
September 1, 2009
Page 2

basement, but the City sewer main was found to be in proper working order. Since the city was not negligent, it would not be liable, as such, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2009-1887:148351