

CITY OF MILWAUKEE

Form CA-43

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June 24, 2003

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

Re: Communication from Afni Insurance Services
on behalf of George W. Norwood
C.I. File No. 03-L-71

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, George W. Norwood, alleges through Afni Insurance Services, by its representative Corey Jones, Post Office Box 3068, Bloomington, IL 61702 as subrogee that on June 15, 2002 water leaked from a City water meter located at 4140 North Sherman Boulevard and damaged the claimant's property. They claim damages in the amount of \$5,398.94.

Our investigation reveals that this claim was filed on May 19, 2003. Wisconsin Statute §893.80 (1) (a) requires that a claim must be filed within 120 days after the happening of the event giving rise to the claim. This claim was not filed timely. In addition, the Milwaukee Water Works records indicate that they exchanged the water meter on June 10, 2002. The work order completed by their technician does not indicate that there were any problems in making the exchange or that there was any leakage after it was completed. They were never notified about

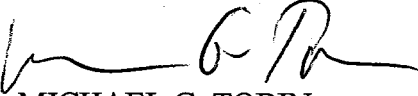
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the alleged problems and had no opportunity to inspect the meter or the alleged damages. The Milwaukee Water Works followed standard installation procedures and had no knowledge of subsequent conditions or events. Since this claim was not filed timely and there is no evidence to support it, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1048-2003-1641:69104