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October 14, 2008

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

Re: Resolution related to the claim of Paoge & Jou Xiong
C.I. File No. 08-L-85

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.

Claimants, Paoge and Jou Xiong, 3935 North 62nd Street, Milwaukee, WI 53216 allege that on June 7/8, 2008 they suffered damages to their home and personal property due to a sewer back-up caused by a blocked storm sewer grate at the edge of Dineen Park. The claimants seek damages in the amount of \$27,751.00.

The Infrastructure Services Division (ISD) reviewed their records relative to this incident. They found that because of the large amount of rail fall and its intensity during this time period the City's storm sewer system was surcharged and it experienced flows that exceeded the capacity of the sewer system. They also checked the City main sewer as a result of this claim and found it to be in proper working order.

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Their records also reflected that the storm inlet in question is maintained by Milwaukee County. Since the City was not negligent in the matter and it did not have responsibility for the storm inlet in question, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
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JAS:beg
Enclosure
1029-2008-2781:138369