

TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

HEIDI WICK SPOERL
KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
PATRICK J. MCCLAIN
HANNAH R. JAHN
JULIE P. WILSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
ALEXANDER T. MUELLER
ALEXANDER D. COSSI
LISA A. GILMORE
KATHERINE A. HEADLEY
L. ANTHONY JACKSON
STACY J. MILLER
MICHAEL C. RADAVICH
JORDAN M. SCHETTLE
THERESA A. MONTAG
ALEXANDER E. FOUNDOS
TRAVIS J. GRESHAM
KYLE W. BAILEY
JOSEPH M. DOBBS
WILLIAM K. HOTCHKISS
CLINT B. MUCHE
JOANNA FRACZEK
Assistant City Attorneys

November 21, 2023

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

RE: Communications from Attorney Joshua Whiteside on behalf of
Great Northern Insurance Company as
subrogee of ASSOCIATED BANCORP
C.I. File No. 1048-2022-568

Dear Sir or Madam:

Attorney Joshua Whiteside of Schueler, Dallavo & Casieri Attorneys at Law is representing Greater Northern Insurance Company as subrogee of Associate Bancorp regarding damages allegedly sustained from a water main break that caused water backup in the basement that occurred on February 12, 2022. Attorney Whiteside has submitted a demand for \$130,950.30, for damages that include emergency basement cleanup and restoration at the subject property located at 5350 W. Fond Du Lac Avenue.

We have completed an investigation into this matter with both Milwaukee Water Works (MWW) and Infrastructure Sewers Maintenance. MWW reported that, on February 12, 2022, they responded to a leak in the street at the intersection of W. Fond du Lac Avenue and W. Maxwell Place. An 8" water main was taken out of service, a contractor was hired to complete the repairs, and the water main was placed back in service.


On February 14, 2022, Sewer Maintenance reported to the subject location, and video examined the City's 8" sanitary sewer main that services the subject property. The sewer was reported flowing properly and in good condition. There were no other backwater calls reported in the area.



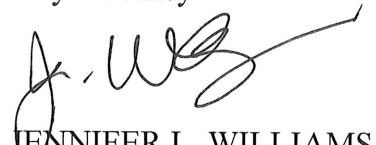
To the Honorable Common Council
Of the City of Milwaukee
November 21, 2023
Page Two

It is our position that the city is not liable for damages. Both Milwaukee Water Works and Sewer Maintenance took action and responded in a timely manner. As such, we recommend that the claim be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER L. WILLIAMS
Deputy City Attorney

TS/JLW/MG/cdr

1048-2022-568/288601