

CITY OF MILWAUKEE

Form CA-43

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April 30, 2003

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

Re: Communication from Dan and Wendy Gebhardt
C.I. File No. 03-L-41-1

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, Dan and Wendy Gebhardt, 11031 West Carmen Avenue, Milwaukee, WI 53225, allege that on February 8, 2003 they suffered losses due to a sewer backup at their property. They claim damages in the amount of \$18,915.64.

Our investigation reveals that the sewer in question was on a three year cleaning schedule. The last time the sewer was cleaned was on November 1, 2000. Because the sewer was on a regular cleaning schedule and the City of Milwaukee did not have any

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notice of any problems with the sewer, the City cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



MICHAEL C. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-2003-1020.001:67164