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March 31, 2008

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

Re: Resolution relating to the claim of Tim & Cathy Spath
C.I. File No. 1048-2007-3028; 07-L-107

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimants, Tim and Cathy Spath, 3166 South 95th Street, Milwaukee, WI 53227 allege that on October 21, 2007 they suffered a sewer back caused by damage to their sewer lateral when the Milwaukee Water Works (MWW) was engaged in repair activity earlier in the year. They seek damages in the amount of \$6,250.00.

Our investigation reveals the MWW did repair a water main break on February 20, 2007 at this location. A MWW representative was sent out to the claimants' repair site on October 26, 2007. He found that the damage to the claimants' lateral was caused by the earlier MWW repair activity. The MWW has accepted liability for this damage.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim in the amount of \$6,250.00 and have attached the appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
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JAS:beg
Enclosure