

CITY OF MILWAUKEE

Form CA-43

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Assistant City Attorneys

April 10, 2003

Law Offices Michael W. Tobin S.C.
Attn: Douglas J. Rebholz
9135 West Lisbon Avenue
Milwaukee, WI 53222

RE: C.I. File No: 03-S-129
Your Client: James R. Koenig

Dear Mr. Rebholz:

This office is in receipt of your client's claim in the amount of \$3,302.72, relating to work orders issued on February 21, 2003 to make repairs to a water leak at 2429 South 6th Street.

Our investigation reveals that the Milwaukee Water Works records indicate that they were notified by your client of a flooding problem at 2429 South 6th Street on February 21, 2003. A water works investigator responded on that day and found water surfacing outside of the building. He turned the water off at the curb stop and stopped the leak. Since all indications pointed to a leak on the water service lateral, the investigator issued a notice to your client requiring him to repair the lateral, or the Water Works could reserve the right to leave the water off. Your client hired Wagner Plumbing to repair the leak. They apparently excavated at the curb stop before turning the water on to determine the exact location of the leak and found there was no leak on the lateral. After going into the building the plumber found that a valve operating an old lead service under the floor had been turned on, causing the leak. The Milwaukee Water Works followed proper procedures and acted prudently in issuing the leak notice. It is the plumber's responsibility to qualify where a leak is before beginning repairs. Accordingly, we are denying your client's claim.

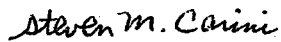
Law Offices
MICHAEL W. TOBIN
April 10, 2003
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If you wish to appeal this decision, he may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



STEVEN M. CARINI
Investigator Adjuster

SMC:beg
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