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August 22, 2011

Michael J. & Sandra A. Wagner
6214 South 3rd Street
Milwaukee, WI 53207

RE: C.I. File No.: 11-S-222

Dear Mr. & Mrs. Wagner:

We have received your claim in the amount of \$4,032.06, relating to damage allegedly sustained on April 11, 2011 when backwater from the City's sewer backed up into your residence at 6214 South 3rd Street.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that on April 11, 2011 they responded to a call of a backwater at this address. They found that the City sanitary main sewer was clogged with grease and other debris. A sewer jet was used to open the clog and restore the sewer to proper working condition. The ISD records also indicated that the sewer is on a regular cleaning schedule and was last cleaned, prior to this incident, on June 28, 2010. Because the sewer is on a regular cleaning schedule and the City did not have notice of problems with the sewer, the City cannot be held liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you 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
STEVEN M. CARINI
Investigator Adjuster

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OFFICE OF THE CITY ATTORNEY