GRANT F. LANGLEY

City Attorney

LINDA ULISS BURKE VINCENT D. MOSCHELLA DANIELLE M. BERGNER MIRIAM R. HORWITZ 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

October 8, 2014

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

Re: Communication from ESHA PUREFOY

C.I. File No. 1048-2014-2118

Dear Council Members:

Claimant, Esha Purefoy, 6976 North Raintree Court, Unit A, Milwaukee, WI 53223, alleges that on May 18, 2014 she sustained damages when a water main broke and water backed up into the basement of her home. She claims damages in the amount of \$31,310.00.

The Milwaukee Water Works (MWW) records indicate that on May 18, 2014 at 11:27 a.m. their control center received a report of a leak in the street at 6978 North Raintree Drive. They dispatched a field investigator who confirmed a break on an 8 inch water main at 6978 North Raintree Drive and immediately shut off the water. Due to a busy workload and no available distribution crews, the MWW

THOMAS O. GARTNER STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER **HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN** MELANIE RUTLEDGE JAY A. UNORA **DONALD L. SCHRIEFER** MARYNELL REGAN G. O'SULLIVAN-CROWLEY KATHRYN Z. BLOCK ADAM B. STEPHENS **KEVIN P. SULLIVAN** THOMAS D. MILLER JARELY M. RUIZ ROBIN A. PEDERSON MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNING PETER J. BLOCK NICHOLAS P. DESIATO JOANNA GIBELEV JENNY YUAN T.C. MAKAYA KAIL J. DECKER ALLISON N. FLANAGAN Assistant City Attorneys



To the Honorable Common Council Of the City of Milwaukee October 8, 2014 Page Two

called out for a contractor to repair the water main. Mid City Plumbing responded to the site and made the necessary repairs. There is no evidence that the MWW was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY City Attorney

PATRICIA A. FRICKER Assistant City Attorney

PAF:cdr

Enclosure

1048-2014-2118/208500