

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANNE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN Z. BLOCK**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**HEIDI E. GALVÁN**  
Assistant City Attorneys

May 14, 2008

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

Re: Resolution relating to the claim of Thomas E. & Mary M. Craine  
Through Afni Insurance Services  
C.I. File No. 08-L-30

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.

Claimants, Thomas E. & Mary M. Craine, 1011 East Holt Avenue, Milwaukee, WI 53207-3539, allege through Afni Insurance Services, by its representative Steven Chiles, Post Office Box 3068, Bloomington, IL 61702 as subrogee that on March 10, 2008 a City sewer backed up into their insured's basement. They claim damages in the amount of \$6,012.59.

Our investigation reveals that the Infrastructure Services Division records indicate that the sewer in question is on a regular cleaning schedule. The last time the sewer was cleaned was on August 12, 2004. Because the sewer was on a regular cleaning schedule and the City of Milwaukee did not have any notice of any problems with the sewer, the City cannot be held liable. Therefore, we recommend that this claim be denied.

Very truly yours,

**GRANT F. LANGLEY**  
City Attorney

**JAN A. SMOKOWICZ**  
Assistant City Attorney

JAS:beg  
Enclosure  
1029-2008-1128:132890