**GRANT F. LANGLEY**City Attorney

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March 31, 2016

Mar led 4/4/16

Ms. Janis Mertin 4130 South Burrell Street Milwaukee, WI 53207

RE:

C.I. File No. 1029-2016-562

Communication from JANIS MERTIN

Dear Ms. Mertin:

We have received your claim for the amount of \$7,489.67 in relation to the property damage you sustained on November 17, 2015 at 4130 South Burrell Street.

The Department of Public Works Infrastructure Services Division reports on November 18, 2015 sewer maintenance responded to three calls of backwater in the 4100 block of South Burrell Street. The city main sanitary sewer was found to be clogged with grease and rags. A sewer Jet Vac opened the clog, cleaned the sewer and restored it to proper working condition. The sewer is on a regular cleaning schedule and had been cleaned prior this clog on January 21, 2015. Because the sewer was on a regular cleaning schedule and the City of Milwaukee did not have any prior nice of any problems with the sewer, the City cannot be held liable. Accordingly, we are denying your claim.

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** JAY A. UNORA KATHRYN Z. BLOCK KEVIN P. SULLIVAN THOMAS D. MILLER JARELY M. RUIZ **ROBIN A. PEDERSON** JEREMY R. MCKENZIE MARY L. SCHANNINS PETER J. BLOCK NICHOLAS P. DESIATO JOANNA GIBELEV JENNY YUAN KAIL J. DECKER ALLISON N. FLANAGAN LA KEISHA W. BUTLER PATRICK J. LEIGL HEATHER H. HOUGH ANDREA J. FOWLER PATRICK J. MCCLAIN NAOMI E. GEHLING CALVIN V. FERMIN BENJAMIN J. ROOVERS Assistant City Attorneys



Ms. Janis Mertin March 31, 2016 Page Two

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

GRANT FILANGLEY

City Attorney

KARI GIPSON Investigator Adjuster

KBG:cdr

1029-2016-562/227076