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July 15, 2008

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

Re: Resolution relating to the claim of Agnes Dukatz and her  
Insurance Company, American Family Insurance  
By AFNI Insurance, Corey Jones, Subrogation Specialist  
C.I. File No. 08-S-177

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.

Claimant, AFNI Insurance, by Corey Jones, Subrogation Specialist, Post Office Box 3068, Bloomington, IL 61702 on behalf of American Family Insurance and their insured, Agnes Dukatz allege that on or about February 28, 2008 Ms. Dukatz suffered damage to her personal property and her home at 6731 West Dakota Street. They claim damages in the amount of \$7,040.41.

Our investigation reveals the Milwaukee Water Works (MWW) responded to a report of a leak in the street in the area of South 68<sup>th</sup> Street and West Dakota Street on February 27, 2008. A MWW field investigator confirmed the break and performed an emergency shut-off of the main. The area was marked for underground facilities and necessary repairs to the main were completed. The main was ultimately place back in service.

The MWW conducted a site visit at Ms. Dukatz's home and found that the damage was as a result of the water-main break and not because of any other action by the MWW.

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The MWW responded to the water-main break in a timely manner and followed standard procedures regarding the repair activity. As such, the City cannot accept liability and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

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JAS:beg  
Enclosure  
1048-2008-756:135084