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September 19, 2008

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

Re: Resolution relating to the claim of Shirley Gladney  
C.I. File No. 08-L-68

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, Shirley Gladney, 4676 North 76<sup>th</sup> Street, Milwaukee, WI 53218 alleges that on June 7, 2008 she sustained damages when a City sewer backed up into her basement. She claims damages in the amount of \$21,623.55.

Our investigation reveals that the Infrastructure Services Division records indicate that because of the large amount and strong intensity of the rain during the weekend of June 7, 2008, the City experienced flows that exceeded the capacity of the sewer systems. Additionally, the City checked the sewer main as a result of Ms. Gladney's claim and found it to be in proper working order. The City was not 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

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2008-2372:136433