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May 1, 2009

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

Re: Resolution relating to the claim of CNA on their behalf  
And on the behalf of Milwaukee Street Gallery, LLC  
C.I. File No. 09-L-29

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, CNA, Post Office Box 8317, Chicago, IL 60680-8317 allege on their behalf and that of their insured, Milwaukee Street Gallery, LLC that on September 24, 2008 the insured suffered losses due to water sprayed by the fire suppression system during a test at 717 North Milwaukee Street. They allege damages in the amount of \$5,860.00.

Our investigation reveals that the Department of Neighborhood Services (DNS) was on site on the day in question to conduct an annual fire sprinkler inspection. The DNS had previously set this test up with a building representative. The DNS inspector inspected the system and the main drain flow in an area occupied by an art gallery. The test was conducted here because it was the location of the main system drain. The DNS inspector and building representative found unframed art pieces scattered about the area where the test was to be conducted. The pieces were moved to what was thought to be an adequate

To the Hon. Common Council  
May 1, 2009  
Page 2

distance from the test area. The test was commenced and water splashed on the art pieces. The DNS inspector followed standard procedures and as the building owner had prior notice of this test and a representative present while it was conducted, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
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JAS:beg  
Enclosure  
1048-2009-676:145507