

March 8, 2001

NOTICE OF CLAIM AND CLAIM FOR DAMAGES
PURSUANT TO SECTION 893.80 OF THE WISCONSIN STATUTES

TO: Milwaukee County Clerk Mark Ryan
901 North Ninth Street
Milwaukee, WI 53233
Milwaukee City Clerk
200 E. Wells Street
Milwaukee, WI 53203
City of Milwaukee Attorney Grant Langley
200 E. Wells Street
Milwaukee, WI 53203
Milwaukee Fire Department
Deputy Chief Warren Skonieczny
711 W. Wells Street
Milwaukee, WI 53233

CITY OF MILWAUKEE
2001 MAR -8 PM 4:08
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED

OFFICE OF THE
CITY ATTORNEY
01 MAR -9 PM 4:07

RE: AMOS C. Moore, Jr. and Barbara Moore v. City of Milwaukee, Milwaukee Fire Department and ABC Insurance Company

PLEASE TAKE NOTICE that AMOS C. MOORE, JR. and BARBARA MOORE, by and through their attorneys, Donald P. Styler and Timothy M. Whiting, state that the following circumstances give rise to a claim:

On or about the 22nd day of November, 2000, Amos Moore was in his automobile in an alley behind his home located at or about 5748 N. 68th Street, in the City of Milwaukee, Wisconsin, 53218. At an unknown time believed to be approximately 1:30 a.m., the Milwaukee Fire Department was notified of a car fire in the alley at the location previously listed above. The Milwaukee Fire Department was dispatched to the scene and upon arrival immediately began to attempt to control the fire which had spread to the garage located at 5748 N. 68th Street by forcing entry into the garage through the walls. While the Milwaukee Fire Department was concentrating on controlling the garage fire they failed to ascertain if anybody was inside the burning car, attempt to rescue anybody who may have been inside the burning car or distinguish the car fire. A neighbor of Amos Moore advised the Milwaukee Fire Department that Amos Moore may indeed be inside the car at which time the Milwaukee Fire Department directed their attention to the car and finally rescued Amos Moore. As a result of the delayed rescue from the burning car Amos Moore suffered serious and life-threatening injuries, was hospitalized for an extensive period of time, has been unable to work and has suffered permanent and extensive scarring and other injuries to his body.

The Milwaukee Fire Department and its employees are an entity operating under the authority and direction of the City of Milwaukee. As employees of the City of Milwaukee the firemen at the scene were grossly negligent by attempting to extinguish the garage fire prior to determining if Amos Moore was in the burning car, if Amos Moore was in imminent danger and by failing to

rescue Amos Moore from the burning car, all of which resulted in serious and permanent injury and medical expenses to Amos Moore. In addition Barbara Moore was caused to suffer the loss of society, companionship and consortium of her husband.

WHEREFORE, the Claimants, AMOS C. MOORE, JR. and BARBARA MOORE, claim relief against the Defendants, City of Milwaukee, Milwaukee Fire Department and ABC Insurance Company, in the form of money damages.

ITEMIZED STATEMENT OF RELIEF SOUGHT

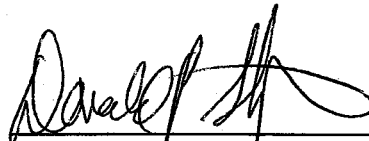
As a result of the above parties failure to rescue him from the burning car in a timely manner the Claimant, AMOS C. MOORE, JR., incurred the following damages:

- a. Medical expenses; medical treatment is ongoing at the time of filing this notice of claim and therefore medical costs are unknown at this time
- b. Past pain and suffering \$500,000.00
- c. Future pain and suffering \$500,000.00
- d. Permanent disability \$150,000.00
- e. Permanent scarring \$450,000.00
- f. Loss of normal life \$350,000.00
- g. Wage loss is ongoing and therefore the total is unknown

TOTAL: \$1,950,000.00

As a result of the above parties failure to rescue Amos C. Moore, Jr. from the burning car in a timely manner the Claimant, BARBARA MOORE, incurred loss of consortium, society and companionship of her husband, Amos C. Moore, Jr. and claims money damages in the amount of \$350,000.00

WHEREFORE, Claimants AMOS C. MOORE, JR. and BARBARA MOORE, claim relief against Defendants, City of Milwaukee, Milwaukee Fire Department and ABC Insurance Company, for an amount in excess of \$2,000,000.00 for bodily injury and medical expenses and any and all other relief provided by law.



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