

Milwaukee City Clerk
200 E. Wells Street
Room 205
Milwaukee, Wisconsin 53202

May 11, 2002

RE. C.I. File No. 02-S-94

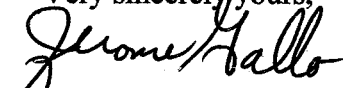
City Clerk,

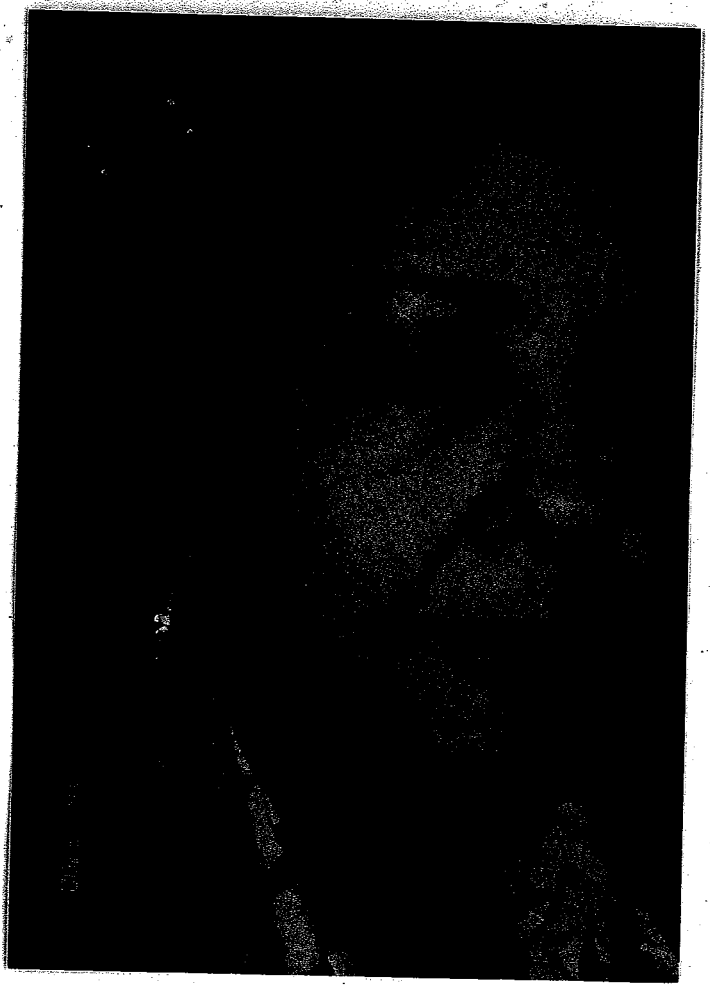
This letter is in response to the denial letter I received today regarding my wife's accident. The letter's content is a complete joke! Let me explain. We were never advised that you had even received the claim. My wife was never contacted to explain how the accident actually happened. It is blatantly obvious that no one ever inspected the scene of the accident. It is also obvious that the City does not know the exact location of where this accident happen because contrary to their claim that the area was repaired with asphalt, there is No asphalt at all in this area. As far as a notification of a road defect, what more notification do you need after informing you that my wife was seriously injured because of a defect in the road. Am I to understand that I should have notified you that my wife was *going* to get hurt before it happen? We have access to a photo of the exact spot where the accident took place and documentation by a third party. I am enclosing a photo of my wife on the evening of the day of the accident. If this happened to your loved one, I wonder what you would think of this denial letter.

Regarding a hearing, yes, I would like a hearing to appeal this decision. How about my house after regular working hours? You see, after being out of work for over a year now, I believe I have found a job in the private sector and they do not give free time off. However, I do wish to be heard. This hearing could be embarrassing to the source of this denial letter. I have already contacted the office of my Assemblyman about this matter and will not hesitate to get my Senator involved. The handling of this claim has been a disgrace.

My suggestion would be to review this claim in a more professional manner, get the facts, visit the site, interview my wife and be the public servant that you are.

Very sincerely yours,


Jerome Gallo



S

City Clerk
ATTN: Claims
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

CITY OF MILWAUKEE

March 12, 2002

2002 MAR 13 PM 1:07

RONALD D. LEONHARDT
CITY CLERK

Dear City Clerk,

On the afternoon of Sunday, February 17th approximately 2:45 P.M., My wife Nancy Gallo tripped and fell on City property. The location of the accident was the marked crosswalk between the Potawatomi Casino and the Casino parking lot. This would be at approximately 1800 W.Pittsburgh Ave in Milwaukee. As stated above, this is a crosswalk where hundreds of people cross every day and should be maintained as such. This crosswalk is in disrepair. It contains many cracks and separations with chunks of concrete missing, creating small toe catching potholes. I talked to the Casino General Manager Mr. Jack Simpson about this and he claimed that the City of Milwaukee was reluctant to repair this crosswalk! I do not know exactly what that means, all I know is that there are several raised surfaces and divots along the many cracks in the concrete. This area, being a crosswalk for so many people every day, should certainly have been kept in good repair, especially since it appears that the Casino did have contact with the City about this crosswalk sometime in the past. It is the city's responsibility to keep these crosswalks safe and this was not done. Do not try to blame this problem on the frost shifting the concrete and therefore it being an act of GOD. This winter is so mild that there is no frost in the ground whatsoever. If the frost is to blame, it happened last year and should have been repaired by now. **This is the worst kind of hazard because these irregularities are difficult to see!** My wife's toe caught in one of these and she fell flat on her face. She was wearing her glasses. Both lenses were shattered and the frame was bent beyond repair. Her face was cut and punctured and she received several bruises.

These are the injuries that we are aware of: She has two cuts on her face, one through the right eyebrow and a puncture from the glasses' frame in her right temple. These required four stitches at the emergency hospital to close her injuries. She also has a huge black eye, both hands were impacted and are now black and blue and a bruised right rib cage. This accident can be verified by two Casino security guards who attended to her immediate needs before I took her to the hospital. A photo of the accident scene is in the possession of the Casino's security unit. The Waukesha Memorial Hospital can verify the injuries.

Monetary costs to me personally would include emergency room charges, replacement glasses/frames, removal of the stitches, transportation costs and one day's pay. I am unemployed with unemployment benefits running out this week. As such, I have no vision insurance and my health insurance deductible is so high that the medical costs are not covered either.

My claim must be for the entire and total costs. See copies of receipts enclosed.

Reimbursement for her pain and scaring should also be considered. It is hard to place a value on that but the City is responsible for this accident and should accept a fair degree

02 MAR 13 PM 2:55

CITY OF MILWAUKEE
CITY ATTORNEY

of financial liability for what she went through and continues to go through during the healing process to her face. I have decided not to employ professional council at this time in order to give the City a chance to do the right thing. An unsatisfactory settlement will force me to consider such action.

A summation of monetary claim is as follows:

Doctor (inserting stitches).....	\$409.00
Emergency room.....	\$93.00
Doctor (removing stitches).....	\$86.00
Glasses.....	\$283.99
Transportation..(71 mi @ \$0.35) =	\$24.85 (See enclosed summary)
Lost wages...(8hr @ \$18.05/hr) =	\$144.40
Pain and scaring.....	= \$???.??
	\$1041.24

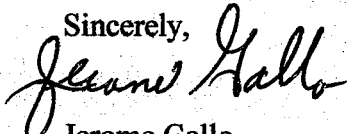
As an added note, please repair this area as soon as possible! There are more accidents there waiting to happen. I would not like to see any more people hurt.

Thank you for your attention to this unfortunate accident.

Please contact me at home at 1-262-679-2980 or my wife during business hours (8-5) at 1-262-780-0600 if there are any questions or additional information required. We can also be contacted by Email. Our Email address is jngallo@mer.com

Our home address is: W191 S7354 Shore Lane Muskego, WI 53150

Sincerely,


Jerome Gallo


Nancy Gallo

SEARS OPTICAL
5200 S. 76th STREET
GREENDALE, WI 53129
Phone: 414-423-4884
FAX# 414-855-0533

2-18-02
Date

Nancy Gallo
PATIENT Name

W195 S7354 Shore Lane
Address

Muskego WI 53150
City, State, Zip Code

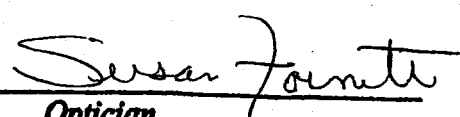
(262) 679-2980
Phone

 / /
Birth date

Date	Service	Diagnosis Code	Charge
	Spectacle Exam		
	Contact Lens Exam		
2-18-02	Frames		129.99
2-18-02	Lenses		269.00
2-18-02	2 yr. warranty		25.00

Total \$ 423.99
Discount \$ 140.00
Total Paid \$ 283.99

Balance Due \$ 

Signature 
Optician

Tax ID Numbers: *Materials*—Sears Optical—38-0867896
Examinations—Dr. David Savaglio, O.D.—39-988541

EMERGENCY MEDICAL ASSOCIATES
 6400 INDUSTRIAL LOOP
 GREENDALE WI 53129
 (414) 423-4120

NANCY C GALLO
 W191 S7354 SHORE LANE
 MUSKEGO WI 53150

ACCOUNT 305977

03/07/02

Page No. 1

DATE	DESCRIPTION OF TRANSACTION	PATIENT	AMOUNT	INS
02/17/02	SUTURE WOUND FACE UP TO 2.5CM	NANCY	251.00	*
02/17/02	EMERGENCY LOW COMPLEXITY 2	NANCY	88.00	*
02/17/02	SERVICES SUNDAY & HOLIDAYS	NANCY	70.00	*

409.00

MAKE CHECK PAYABLE TO: EMERGENCY MEDICAL ASSOCIATES, S.
 ACCOUNT 305977
 NAME NANCY C GALLO

409.00

AGING:	CURRENT	31 - 60	61 - 90	91 - 120	121 - UP
	.00	.00	.00	.00	.00

FOR SERVICES PERFORMED BY THE EMERGENCY PHYSICIANS AT WAUKESHA MEMORIAL

WAUKESHA MEMORIAL HOSPITAL
725 AMERICAN AVENUE
WAUKESHA, WI 53188
Statement on: 02/20/02 at 09:36

Guarantor: GALLO NANCY C
W191S7354 SHORE LANE
MUSKEGO, WI 53150-0000

Patient: GALLO NANCY C
Visit #: 63631100003

Date	Svc Code	Description	Units	Debits	Credits
02/17/02	4809002	ED-LEVEL II	1	90.00	
02/17/02	4809199	ED PROCEDURE LEVEL I/	3	3.00	
* - Not posted				Balance:	93.00

WAUKESHA HEALTH CARE, INC
P O BOX 649
WAUKESHA WI 53187-0649
FEDERAL ID # 39-1773598

(262) 650-4110

PAGE 1

NANCY C GALLO
W191 S7354 SHORE LN
MUSKEGO WI 53150

ACCOUNT NO.
STATEMENT DATE
BALANCE DUE

20088426
03/01/2002
157.57

DATE =====	PATIENT =====	PROCEDURE =====	DESCRIPTION OF SERVICE =====	DIAGNOSIS =====	AMOUNT =====
02/25/2002	NANCY	APTRE	APPT RECONCILIATION	HCR. S	.00
02/22/2002	NANCY	99213	SONSALLA OFFICE CARE MAMEROW	V58.3	86.00

PERSONAL
157.57

INSURANCE
PENDING
235.00

COLLECTION
.00

WORKERS
COMP BALANCE
.00

ACCOUNT
BALANCE
392.57

20088426

GALLO

Total Mileage Summary:

Accident scene to hospital.....25 miles

Hospital to home..... 8 miles

Home to medical center and back... 8 miles

Home to vision center and back... 30 miles

71 miles @ \$0.35 per mile = \$24.85