

NOTICE OF CLAIM FORM

CITY OF MILWAUKEE

2003 MAR 13 PM 3:31

TO: City Clerk
City of Milwaukee
200 East Wells Street
Milwaukee, Wisconsin 53233

RONALD D. LEONHARDT
CITY CLERK

PLEASE TAKE NOTICE, that the undersigned is making a claim for injuries and damages against you by virtue of the reasons set forth hereafter:

NAME OF CLAIMANT:

ANN SODOWSKY

DATE AND TIME OF INJURIES AND OR DAMAGES SUSTAINED:

SEPTEMBER 5, 2000 APPROXIMATELY 4:30 P.M.

PLACE OR LOCATION WHERE INJURY OR DAMAGES OCCURRED:

Emergency Medical Transport Unit, Battalion #6, and while rendering treatment and in transport from Universal Brixius, Inc., 5880 N. 91st St., Milwaukee, Wisconsin to St. Joseph's Hospital, 5000 W. Chambers, Milwaukee, Wisconsin.

MANNER IN WHICH DAMAGES OR INJURIES WERE RECEIVED OR OCCURRED:

Claimant's spouse, Jeff Sodowsky, died as a result of equipment failure/and or inadequate maintenance with regard to the defibrillator in that it did not give the requested joules when administered to Mr. Sodowsky. The machine had a improperly connected wire which should have been observed by the paramedics.

GROUND ON WHICH CLAIM IS MADE:

Negligence on the part of City Milwaukee, and/or City of Milwaukee Fire Fighting Division Battalion #6, by its agents, servants and employees, including but not limited to the following: failure to properly maintain equipment; failure to follow city procedure requiring EMS Technician's to adequately check the equipment to ensure that the defibrillator was in proper working order; use of the defibrillator with knowledge that it was defective or unreasonably dangerous; use of the defibrillator which with ordinary, reasonable care the City should have known that the use of the defibrillator with knowledge that the use of the defibrillator with knowledge that it was defective or unreasonably dangerous; use of the product with knowledge, or in the exercise of ordinary care, should have known the product was worn out in such a manner as to render the same unsafe; failure to follow the directions and warnings as to the use of the product; failure to use the degree of care, skill, and judgment which a reasonable licensed EMS Technician would exercise at the time the

service was rendered, and the failure to exercise ordinary care.

GENERAL DESCRIPTION OF INJURIES AND DAMAGES:

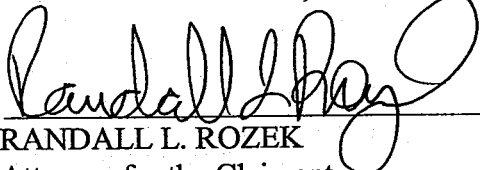
PERSONAL INJURIES: LOSS OF SOCIETY & COMPANIONSHIP
 MEDICAL, HOSPITAL, AND FUNERAL EXPENSES
 LOSS OF FUTURE EARNINGS AND EARNING
CAPACITY
 PAIN AND SUFFERING

PLEASE TAKE NOTICE that satisfaction for such injuries or damages is claimed, and that pursuant to Section 893.80(b), Wisconsin Statutes, an itemization of Special Damages is attached hereto and this demand is in the sum of \$742,147.17.


Dated at Milwaukee, Wisconsin this 12th day of March, 2003.

Claimant: Ann Sodowsky
 5772 North 95th Street
 Milwaukee, Wisconsin 53225

DANIEL P. KONDOS, S.C. LAW OFFICES

BY: 
RANDALL L. ROZEK
Attorney for the Claimant
407 West Silver Spring Drive
Milwaukee, Wisconsin 5321

Subscribed and sworn to before
me this 12th day of March, 2003.


Laura Demos
Notary Public, State of Wisconsin
My Commission Expires: 12-10-06.

DAMAGES

1. Pain and Suffering	\$350,000.00
2. Medical Expenses	\$ 2,165.10
3. Funeral Expenses	\$ 2,475.22
4. Loss of Future Earnings	\$387,506.85
TOTAL DAMAGES	\$742,147.17

1. Death Certificate		In
2. Milwaukee County Medical Examiner Autopsy Report		In
3. Milwaukee County Medical Examiner's Supplemental Report		In
4. Milwaukee Fire Department Ambulance Report		In
Statement of 9/5/00	\$ 1,135.75	
5. St. Joseph Hospital		
Statement of 9/5/00	\$ 592.35	
6. St. Joseph Emergency Physicians		
Statement of 9/5/00	\$ 437.00	
7. Jelacic Funeral Home	\$ 1,437.80	
8. Graceland Cemeteries	\$ 1,037.42	
9. Universal Brexius, Inc.		
Gross Earnings 1999 = \$24,525.75		
Worklife Expentancy = <u>15.8 yrs.</u>		
Total	\$387,506.85	
TOTAL	\$392,147.17	
PAIN AND SUFFERING	\$350,000.00	
TOTAL DAMAGES	\$742,147.17	