

CITY OF MILWAUKEE  
RECEIVED  
**CLAIM FOR DAMAGES**  
'04 MAY 10 PM 3:12

- RUSH -  
SERVED  
DATE: 5/10/04  
TIME: 12:11 AM  
BY: [Signature]

TO: City Clerk  
City Hall  
200 East Wells Street  
Milwaukee, WI 53203

CITY OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
04 MAY 10 PM 12:09  
RONALD L. CLARK  
CITY CLERK


1. The claimant is Sherry Ann Urbaniak who resides at 9545 West Oklahoma Avenue in the City and County of Milwaukee, State of Wisconsin.
2. That Safer & Stein Law Firm, S.C. of 9001 North 76<sup>th</sup> Street, Suite 310, Milwaukee, Wisconsin 53223, are attorneys for Sherry Ann Urbaniak.
3. That this claim arises out of injuries sustained by Sherry Ann Urbaniak on August 2, 2003.
4. That notice of injury was given to the City of Milwaukee on August 13, 2003 and that a copy of said notice along with a copy of the affidavit of service is attached hereto.
5. That the injuries sustained by Sherry Ann Urbaniak are as follows: a Galeazzi fracture of the left forearm and an abrasion to her right hand along with multiple superficial abrasions. That these injuries were sustained as a consequence of Sherry Ann Urbaniak's tripping and falling on a defective portion of the public sidewalk in the 9400 block of West Oklahoma Avenue in the City and County of Milwaukee, State of Wisconsin.
6. That the sidewalk was defective as a consequence of the negligence on the part of employees of the City of Milwaukee who, having notice of the defective condition of that public sidewalk, failed to repair the same in a timely manner.
7. That as a consequence of said injuries Sherry Ann Urbaniak incurred medical expenses of \$27,784.54 and will, in all likelihood, incur additional medical expenses in the future.
8. According to her treating physician, the injuries sustained by Sherry Ann Urbaniak are

permanent in nature and will in all likelihood require additional surgery in the future.

9. That Sherry Ann Urbaniak makes a claim against the City of Milwaukee based upon the heretofore described injuries and the heretofore described negligence on the part of employees of the City of Milwaukee in the amount of Fifty Thousand Dollars (\$50,000.00).

Dated at Milwaukee, Wisconsin, this 7<sup>th</sup> day of May, 2004.

SAFER & STEIN LAW FIRM, S.C.  
Attorneys for Sherry Ann Urbaniak

By:   
Martin R. Stein  
State Bar No. 1009067

SAFER & STEIN LAW FIRM, S.C.  
9001 North 76<sup>th</sup> Street, Suite 310  
Milwaukee, WI 53223  
414-357-7555

POSEY PROCESS SERVICE  
P.O. BOX 100340  
5716 WEST CENTER STREET  
MILWAUKEE, WISCONSIN 53210-0340  
(414) 442-2751  
FAX (414) 442-2752

AFFIDAVIT OF SERVICE

CASE # \_\_\_\_\_

FILE # 018346

CLIENT # 135

COUNTY MILWAUKEE

SHERY ANN URBANIAK  
Claimant

vs

CITY OF MILWAUKEE, et al  
Respondents

I, JEFFREY M. POSEY, being first duly sworn on oath state that I am a citizen or legal registered alien of the State of Wisconsin and not a party to this action. I certify that on the 13TH day of AUGUST, 2003, at 2:49 am pm, in the CITY of MILWAUKEE, in the County of MILWAUKEE, in the State of Wisconsin, that I duly served:

CITY OF MILWAUKEE - CLERK

(Signed) Terry MacDonald

- |  |  |                                  |
|--|--|----------------------------------|
| <input type="checkbox"/> Plaintiff             | <input type="checkbox"/> Defendant             | <input type="checkbox"/> Witness |
| <input type="checkbox"/> Third-Party Plaintiff | <input type="checkbox"/> Third-Party Defendant | <input type="checkbox"/> Other   |
| <input type="checkbox"/> Involuntary Plaintiff | <input type="checkbox"/> Subrogated Defendant  |                                  |
| <input type="checkbox"/> Petitioner            | <input checked="" type="checkbox"/> Respondent |                                  |

by:

- Personal service  
 Leaving a copy with a competent member of the family/household over the age of 14 years, who was advised of the contents thereof, and only after a reasonable and diligent effort on my behalf to provide personal service.

NAME: \_\_\_\_\_ TITLE/RELATIONSHIP: \_\_\_\_\_

- Leaving a copy with a competent agent/representative of the business who is over the age of 14 years, who was advised of the contents thereof, and who is a full-time employee of that business and/or the registered agent for the business.

NAME: TERRY MACDONALD TITLE: Person in Charge

Other/NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

Affixing to the door and mailing a copy first class mail on \_\_\_\_\_ at:  Residence  Place of employment  Other  
200 East Wauke Street, Room 205

Document(s) Served:

- Summons and Complaint - Civil/  
 Summons and Complaint - Small Claims  Eviction-Private  Eviction-Commercial  
 Money Judgment  Consumer Replevin  
 Garnishment for Non-Earnings  
 Earnings Garnishment  
 Other \_\_\_\_\_

- Subpoena with/without witness fee [Check Nr. \_\_\_\_\_ for \$ \_\_\_\_\_]  
 Subpoena Duces Tecum with/without witness fee [Check Nr. \_\_\_\_\_ for \$ \_\_\_\_\_]  
 Garnishee fee [Check Nr. \_\_\_\_\_ for \$ \_\_\_\_\_]  
 Summons and Petition -  Divorce  Paternity  Annulment  Legal Separation

Other(s): Notice of Injury

CASE # \_\_\_\_\_

FILE # 018346

CLIENT # 135

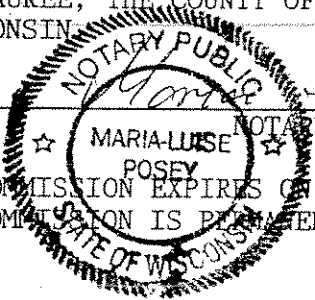
Special Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attempts:

Date: <u>8-13-03</u>	Time: <u>2:49 PM</u>	Date: _____	Time: _____
Date: _____	Time: _____	Date: _____	Time: _____
Date: _____	Time: _____	Date: _____	Time: _____
Date: _____	Time: _____	Date: _____	Time: _____

and that at the time of said service, I did place upon the documents the time of day, the date of service, and my name/initials.

SERVER'S SIGNATURE: [Signature]  
SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 13TH DAY  
OF AUGUST, 2003, IN THE CITY OF  
MILWAUKEE, THE COUNTY OF MILWAUKEE, THE STATE OF  
WISCONSIN.



Maria-Luise Posey  
NOTARY PUBLIC

MY COMMISSION EXPIRES ON: 27 MAY 2007  
MY COMMISSION IS PERMANENT.

SERVICE FEE:	\$ <u>40.00 RUSH</u>
ADV. WITNESS FEE:	\$ _____
ADV. GANISHEE FEE:	\$ _____
POSTAL SEARCH FEE:	\$ _____
M.V.D. SEARCH FEE:	\$ _____
ADV. FILING FEE:	\$ _____
MILEAGE FEE:	\$ _____
MULTI-ADDRESS FEE: ( )	\$ _____
LOCATE FEE:	\$ _____
OTHER FEE:	\$ _____
TOTAL AMOUNT DUE:	\$ _____
LESS PREPAYMENT:	- _____
NET AMOUNT DUE:	\$ <u>40.00 RUSH</u>

RETURN TO:

Attorney Martin R Stein  
9001 North 76th Street  
Suite 310  
Milwaukee, WI 53223

## NOTICE OF INJURY

TO: City Clerk  
City Hall  
200 East Wells Street  
Milwaukee, WI 53203

Pursuant to the provisions of Sec. 893.80(1)(a), the claimant, Sherry Ann Urbaniak, an adult residing at 9545 West Oklahoma Avenue, in the City and County of Milwaukee, State of Wisconsin, herewith give notice of injury and makes a claim for relief in the form of monetary damages as set forth below:

1. That the attorneys for Sherry Ann Urbaniak, an adult resident of the City of Milwaukee, residing at 9545 West Oklahoma Avenue, are Safer & Stein Law Firm, S.C., 9001 North 76<sup>th</sup> Street, Suite 310, Milwaukee, Wisconsin 53223.

2. That Sherry Ann Urbaniak sustained serious personal injuries on August 2, 2003 at approximately 10:30 a.m. while walking along the public sidewalk on the south side of the 9400 block of West Oklahoma Avenue when she tripped and fell over a defective portion of the public sidewalk suffering numerous bruises, abrasions, cuts and lacerations along with the fracture of her left forearm.

3. That a proximate cause of said injuries was the negligence on the part of the City of Milwaukee in that it failed to maintain said sidewalk in a reasonably safe condition for use of pedestrians.

4. In consideration of all of the surrounding circumstances, Sherry Ann Urbaniak sustained serious personal injuries, pain and suffering. That as a result of the aforesaid incident, Sherry Ann Urbaniak was obliged and will continue to be obliged to expend monies for her medical care and attendance.

5. That the undersigned is one of the attorneys for Sherry Ann Urbaniak and is therefore authorized to give this Notice of Injury.

Dated at Milwaukee, Wisconsin, this 13<sup>th</sup> day of August, 2003.

SAFER & STEIN LAW FIRM, S.C.

By: 

Martin R. Stein