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April 11, 2003

HAND DELIVERED

Clerk of City of Milwaukee
200 E. Wells St.
Milwaukee, WI 53202

Re: Karin Kitchen's Notice of Claim

Dear Sir/Madam:

I represent Karin Kitchen. Please be advised that Karin Kitchen hereby makes a claim pursuant to Wis. Stat. 893.80 for damages against the City of Milwaukee, due to injuries she sustained on December 15, 2002. Ms. Kitchen is an adult resident of Milwaukee, Wisconsin with address of 8102 W. Oklahoma Ave.

Shortly after midnight on December 15, 2002, Ms. Kitchen returned by automobile to her apartment, with her mother as passenger. Ms. Kitchen allowed her mother out of the vehicle, and Ms. Kitchen then moved her own vehicle backward to park near her sister's vehicle on Oklahoma Ave.

Ms. Kitchen then got out of her own vehicle, and as she was walking around her car, she fell into an approximate seven inch hole immediately adjacent to a City of Milwaukee sewer grate. The hole was in a grassy area between the sidewalk and curb, in the premises area before Ms. Kitchen's apartment.

By falling into the hole, Ms. Kitchen fractured her right foot and right ankle, and she also sustained hairline fractures to her left foot. She received emergency care on December 15, 2002, and she is presently treating with a specialist. She has also participated in regular physical therapy sessions. Due to the seriousness of the injuries, she is required to wear specially made orthotic shoes. Ms. Kitchen is 51 years old, and it is expected that she will wear these special orthotic shoes, with related activity restrictions, indefinitely.

CITY OF MILWAUKEE
03 APR 11 AM 10:29
RONALD D. LEONHARDT
CITY CLERK

FOREST COUNTY OFFICE:

Trump Lake Road • Wabeno, Wisconsin • 715.499.5471

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Ms. Kitchen claims that the City of Milwaukee was negligent in not maintaining its sewer grate at the subject injury site. Due to the substantial depression of the ground adjacent to the sewer grate, water was able to seep into the ground area around the lip of the grate. This process occurred over a lengthy period of time, which means the City of Milwaukee had constructive notice of the problem.

Soon after the injury occurred, the City of Milwaukee Department of Public Works placed a barrier over the hole. Within a few days of the injury date, said department filled in the hole.

Ms. Kitchen claims the following damages:

1. Past medical bills of approximately \$5,000.00;
2. Future medical bills of \$10,000.00;
3. Co-pays of approximately \$250.00;
4. Orthotic shoes of approximately \$150.00;
5. Apartment rental and utilities for January through March 2003 of \$847.50 (Ms. Kitchen had purchased a condominium shortly before the injury date, and would have moved into the condominium by January 1, 2003. Due to the injury, she was unable to access her condominium until April 1, 2003. She regardless was required to pay her condominium fees and utilities. She remained in the apartment for three months while healing); and
6. Pain and suffering, and loss of enjoyment of life of \$33,752.50

The total claim is therefore \$50,000.00. Please advise, and thank you.

Yours truly,

Andrew H. Morgan

AHM/tj

cc: client