

**NOTICE OF INJURY AND CLAIM FOR MONEY DAMAGES PURSUANT TO
§ 893.80, WIS. STAT.**

2005 AUG 31 PM 3:19

TO: CITY OF MILWAUKEE
City Clerk
City Hall
800 East Wells Street, Room 205
Milwaukee, WI 53202

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2005 AUG 31 PM 2:29
RONALD D. LEONHARDT
CITY CLERK

NAME AND ADDRESS OF CLAIMANT:

Albert Brown
2424 West Kilbourn Avenue
Apartment # 4
Milwaukee, WI 53233

DATE AND TIME OF EVENT GIVING RISE TO CLAIM:

May 6th, 2005 at Approximately 10:30 AM

LOCATION OF EVENT GIVING RISE TO CLAIM:

Wisconsin Avenue Bridge at Water Street, Milwaukee, Wisconsin. Between 100 E. Wisconsin(Wells Fargo Building) and 710 N. Plankinton Ave/112 W. Wisconsin Ave(Empire Building). Mr. Brown specifically fell on the metal grated section of the bridge which raises and lowers to allow waterway traffic to pass below. Furthermore Mr. Brown was on the Northern side of Wisconsin Avenue and walking in a Westerly direction

CIRCUMSTANCES OF EVENTS GIVING RISE TO CLAIM:

On May 6th, 2005 and at around 10:30AM, Mr. Brown was a pedestrian using the Wisconsin Avenue Bridge at Water Street, Milwaukee, Wisconsin and particularly walking in the westerly direction on the North Side of Wisconsin Avenue at or around the area that was installed, owned, maintained and repaired by the City of Milwaukee, State of Wisconsin.

The surface of the "side-walk" where Mr. Brown fell is constructed with material that is known as Diamond Plate, an extremely dangerous material that is made from stainless steel material with a co-efficiency of friction that is less than 5 and which surface is extremely slippery when wet and a hazardous material that collects water puddles that are not obvious to the pedestrians including Mr. Brown. As a result of the extremely slippery and dangerous Stainless Steel surface where water puddles collect over the course of time, Mr. Brown slid and fell on said material causing him to break his arm, sustained permanent injuries and pain, suffering, disability, limitations, inconvenience , medical treatment , a wage loss and medical bills.

The City of Milwaukee was negligent in failing to adopt and implement an appropriate design, installation, maintenance and repair policy regarding the surfaces on which pedestrians travel and has had ample notice regarding the dangerous condition that the stainless steel diamond plate material poses to pedestrians during those wet periods as a result of which dangerous condition Mr. Albert Brown was caused to sustain past, present, and future injuries and damages on account of the pain, suffering, disability and limitations that he was subjected to in addition to the other losses that are more specifically itemized here-below.

ITEMIZATION OF DAMAGES:

1. Bell Ambulance \$422.44
Date of Service: 5/6/05

Mr. Brown as transported to Aurora Sinai Emergency room.

2. Aurora Emergency Room \$962.12
Date of Service: 5/6/05

Mr. Brown did receive treatment at Aurora Sinai Emergency room.

3. Aurora Hospital \$1,139.87
Dates of Service: 5/6/05 & 5/11/05

Mr. Brown received treatment by the doctor on both trips to the Hospital. X-Rays were taken both visits. On 5/6/05 Mr. Brown received medications and was subsequently released.

4. Empec (Dr. Derus) \$334.00
Date of Service: 5/6/05

Dr. Derus was the treating doctor for Mr. Brown at Aurora ER.

5. Great Lakes Radiology \$94.00

Radiologists who reviewed Mr. Brown's X-Rays taken on 5/6/05 and 5/11/05

6. Knueppel Healthcare Services \$234.90

Dates of Services: 5/12/05, 5/13/05, & 5/17/05

Office visits and equipment needed in Mr. Brown's recovery.

7. American United Taxi Cab \$53.75
Dates of Service: 5/18/05 & 5/19/05

Dates that Mr. Brown needed taxi service to appointments.

8. Loss of Wages \$2,366.00
Bill Doran Wholesale Florist
1739 St. Paul Street
Milwaukee, WI 53232

Total: \$5,607.08

Additionally, Mr. Albert Brown sustained great pain and psychological stress which damages entitle him to the statutory maximum of \$50,000.00.

Dated at Milwaukee, Wisconsin, this 26th day of August, 2005

EISENBERG, RILEY & MUWONGE, S.C.
Attorneys for Claimant

By: _____


Emmanuel L. Muwonge
State Bar No.: 1019057

P.O Address:

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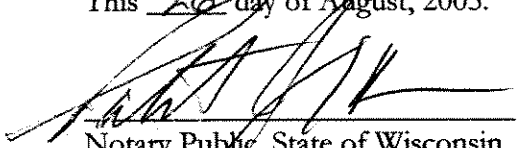
OATH OF CLAIMANT

I, ALBERT BROWN, do swear and declare that we have read the foregoing Notice of Injury and Claim for Money Damages Pursuant to Wisconsin Statute Sec. 893.80 and hereby acknowledge that I am bound by all statements contained therein.



Albert Brown

Subscribed and sworn to before me
This 26 day of August, 2005.



Notary Public, State of Wisconsin
My Commission expires: Dec 14, 2008