

111 EAST KILBOURN AVENUE, SUITE 1100
MILWAUKEE, WISCONSIN 53201
Tel 414.223.4800
Fax 414.271.3374

Hupy and Abraham s.c.
personal injury lawyers

August 30, 2018

VIA SOUTHEAST WISCONSIN PROCESS

Jim Owczarski
City of Milwaukee Clerk
200 East Wells Street, Room 205
Milwaukee, WI 53202

RE: Jennifer L. Anderson
Date of Accident: July 6, 2018

Dear Mr. Owczarski:

Enclosed please find the original and four copies of the Notice of Injury in the above referenced matter. Please file-stamp one copy and return it to me in the envelope provided.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact me.

Very truly yours,

Hupy and Abraham, S.C.

Dawn M. Rowe

Dawn M. Rowe
Paralegal

DMR/
Enclosures

PROCESS SERVER *Thomas*
TIME _____ AM/PM DATE _____
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SEP 6 - 2018

1:15 A.M./P.M.
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Fax 920.750.5399

Green Bay Office
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Fax 920.593.5050

Madison Office
Tel 608.277.7777
Fax 608.274.1841

Wausau Office
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Fax 715.298.4400

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West Des Moines Office
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- *¥† JASON F. ABRAHAM
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2018 SEP -5 PM 1:53

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NOTICE OF INJURY

TO: Jim Owczarski
City of Milwaukee Clerk
200 East Wells Street, Room 205
Milwaukee, Wisconsin 53202,

Ghassan A. Korban
Commissioner
City of Milwaukee Department of Public Works
Zeidler Municipal Building
841 North Broadway, Room 501
Milwaukee, Wisconsin 53202,

and

Kiewit Infrastructure Company
3555 Farnam Street
Omaha, Nebraska 68131

RE: Jennifer L. Anderson
1741B South 2nd Street
Milwaukee, Wisconsin 53204

Date of Accident: July 6, 2018
Location: East St. Paul Avenue and North Water Street
Milwaukee, Wisconsin 53202

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1:15 A.M./P.M.

CITY OF MILWAUKEE
2018 SEP - 5 PM 1:52
CITY CLERK'S OFFICE

PLEASE TAKE NOTICE, pursuant to Wis. Stat. § 893.80, that on July 6, 2018, Jennifer L. Anderson, an adult residing at the above address, was the operator of a moped traveling at or near the intersection of East St. Paul Avenue and North Water Street, in the City and County of Milwaukee, Wisconsin; that at the same time and place, the tire of the moped operated by Jennifer L. Anderson became caught in the trolley tracks in the road, which caused her to lose control and be ejected from her moped; that the Kiewit Infrastructure Company was operating within the course and scope of its employment and/or contract with the City of Milwaukee and/or the City of Milwaukee Department of Public Works to construct the trolley tracks in the roadway; that the Kiewit Infrastructure Company negligently constructed and/or

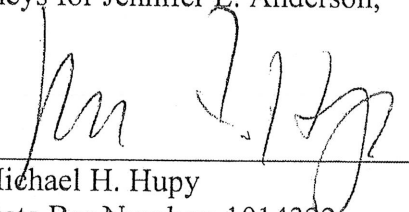
installed said trolley tracks; that the City of Milwaukee and/or the City of Milwaukee Department of Public Works had responsibility for the safety and maintenance of the roadway at the time and location of the accident; and that the City of Milwaukee and/or the City of Milwaukee Department of Public Works and/or Kiewit Infrastructure Company were negligent in failing to properly warn motorists of an unsafe condition in the roadway and/or otherwise failing to properly execute a ministerial duty with respect to the roadway and the safety of motorists traveling on that roadway, thereby creating an unreasonable risk of harm and thereby causing Jennifer L. Anderson's injuries and damages.

As a result of this incident, Jennifer L. Anderson sustained injuries and damages. A claim for damages under § 893.80(1d)(b) will be made at a later date.

Liability for Jennifer L. Anderson's injuries and damages is attributed to the City of Milwaukee and/or the City of Milwaukee Department of Public Works as the governmental body responsible for maintaining the roadway at the time and location of the accident and pursuant to the theory of *Respondeat Superior*, in that it is liable for the acts of its employees, servants, agents, and/or volunteers operating in the course and scope of their employment and/or contract, in this case, the Kiewit Infrastructure Company, who was responsible for constructing the trolley tracks at the time of the accident, while in the course and scope of its employment and/or contract with the City of Milwaukee and/or the City of Milwaukee Department of Public Works, resulting in Jennifer L. Anderson's injuries and damages.

DATED at Milwaukee, Wisconsin this 30 day of August, 2018.

HUPY AND ABRAHAM, S.C.
Attorneys for Jennifer L. Anderson,

By: 
Michael H. Hupy
State Bar Number: 1014322

Post Office Address:
111 East Kilbourn Avenue
Suite 1100
Milwaukee, Wisconsin 53202
(414) 223-4800

Hupy and Abraham s.c.
personal injury lawyers

111 EAST KILBOURN AVENUE, SUITE 1100
MILWAUKEE, WISCONSIN 53202
Tel 414.223.4800
Fax 414.271.3374

January 13, 2021

VIA SOUTHEAST WISCONSIN PROCESS

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TIME _____ AM/PM DATE _____
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Fax 920.750.5397
Green Bay Office
Tel 920.593.5050
Fax 920.593.5055
Madison Office
Tel 608.277.7777
Fax 608.274.1848
Wausau Office
Tel 715.298.4400
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Jim Owczarski
City of Milwaukee Clerk
200 East Wells Street, Room 205
Milwaukee, WI 53202

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JAN 25 2021
10:51 A.M. P.M.

RE: Jennifer Anderson
Date of Accident: July 6, 2018

ILLINOIS
Bloomington Office
Tel 309.827.4800
Fax 309.827.6525
Gurnee Office
Tel 847.625.5500
Fax 847.625.6318
Rockford Office
Tel 815.877.3900
Fax 815.282.8174


Dear Mr. Owczarski:

Enclosed please find the original and four copies of the Notice of Claim along with a set of medical records in the above referenced matter. Please file-stamp one copy and return it to me in the envelope provided.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact me.

Very truly yours,

Hupy and Abraham, S.C.


Brooke E. Lohmiller
Litigation Paralegal

BEL/
Enclosure

IOWA
Cedar Rapids Office
Tel 319.731.9009
Fax 515.777.3399
West Des Moines Office
Tel 515.984.0091
Fax 515.777.3399
Quad Cities Office
Tel 563.275.6892
Fax 563.359.0592

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¥ JENNA L. GREEN

Associate Attorneys
*\$† TIMOTHY W. SCHELWAT
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NOTICE OF CLAIM

TO: Jim Owczarski
City of Milwaukee Clerk
200 East Wells Street, Room 205
Milwaukee, Wisconsin 53202

Jeffrey Polenske
Commissioner
City of Milwaukee Department of Public Works
Zeidler Municipal Building
841 North Broadway, Room 501
Milwaukee, Wisconsin 53202

Kiewit Infrastructure Company
3555 Farnam Street
Omaha, Nebraska 53142

HNTB Corporation
715 Kirk Drive
Kansas City, Missouri 64105

HDR Engineering, Incorporated
1917 South 67th Street
Omaha, Nebraska 68106

RE: Jennifer L. Anderson
4115 91st Street
Kenosha, Wisconsin 53142

Date of Accident: July 6, 2018
Location: East St. Paul Avenue and North Water Street
Milwaukee, Wisconsin 53202

PLEASE TAKE NOTICE, pursuant to Wis. Stat. § 893.80, that on or about August 11, 2018, a Notice of Injury was filed on behalf of Jennifer L. Anderson for injuries she sustained while she was the operator of a moped traveling at or near the intersection of East St. Paul Avenue and North Water Street, in the City and County of Milwaukee, Wisconsin; that at the same time and place, the tire of the moped operated by Jennifer L. Anderson became caught in the trolley tracks in the road, which caused her to lose control and be ejected from her moped; that the Kiewit

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Infrastructure Company and/or HNTB Corporation and/or HDR Engineering, Incorporated, were operating within the course and scope of its employment, agency, and/or contract with the City of Milwaukee to design, construct, and/or maintain the trolley tracks in the roadway; that the Kiewit Infrastructure Company and/or HNTB Corporation and/or HDR Engineering, Incorporated, negligently designed, constructed and/or maintained said trolley tracks; that the City of Milwaukee had responsibility for the safety and maintenance of the roadway at the time and location of the accident; and that the City of Milwaukee and/or Kiewit Infrastructure Company and/or HNTB Corporation and/or HDR Engineering, Incorporated, were negligent in failing to properly warn moped users of an unsafe condition in the roadway and/or otherwise failing to properly execute a ministerial duty with respect to the roadway and the safety of motorists traveling on that roadway, thereby creating an unreasonable risk of harm and thereby causing Jennifer L. Anderson's injuries and damages.

Liability for Jennifer L. Anderson's injuries and damages is attributed to the City of Milwaukee as the governmental body responsible for designing, constructing and/or maintaining the roadway at the time and location of the accident and pursuant to the theory of vicarious liability, including the doctrine of *Respondeat Superior*, in that it is liable for the acts of its employees, agents, servants, representatives, and/or volunteers operating in the course and scope of their employment, agency, and/or contract, in this case, the Kiewit Infrastructure Company and/or HNTB Corporation and/or HDR Engineering, Incorporated, who were responsible for designing, constructing and/or maintaining the trolley tracks at the time of the accident, while in the course and scope of its employment, agency, and/or contract with the City of Milwaukee, resulting in Jennifer L. Anderson's injuries and damages.

PLEASE TAKE FURTHER NOTICE that as a direct and proximate result of the negligence described in the Notice of Injury, Jennifer L. Anderson sustained injuries causing her to incur, to date, medical bills and expenses as follows:

(a)	Froedtert Hospital	\$ 18,113.24
(b)	Medical College Physicians	\$ 3,960.00
(c)	Milwaukee Fire Department	\$ 1,157.11
(d)	Radke Chiropractic Office	\$ 958.00
(e)	Innovative Pain Care	\$ 5,240.00
(f)	Live Oak Health Clinic	\$ 340.00
(g)	8 Branches Chinese Medicine	\$ 225.00
(h)	WI Center for Myofascial Release	\$ 759.00
(i)	Wage Loss	\$ 3,846.00
(j)	Walgreens Pharmacy	\$ 214.56
(k)	CVS Pharmacy	\$ 228.62
(l)	Miscellaneous Medical Expenses	\$ 175.92
(m)	Future Cost of Care	\$ 20,000.00
(n)	Aurora Health Care	Amount Forthcoming
(o)	Aligned Modern Wellness	Amount Forthcoming
(p)	The Surgery Center, LLC	Amount Forthcoming
(q)	Illume Cosmetic Surgery & Medspa	Amount Forthcoming

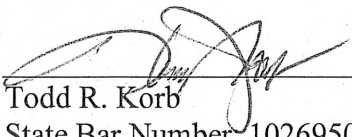
Total to Date: \$55,217.45

As a direct and proximate result of the negligence described in the Notice of Injury, Jennifer L. Anderson suffered conscious pain and suffering in of \$150,000.00, in addition to the special damages outlined above, all to her damage, in the amount of \$55,217.45.

WHEREFORE, Jennifer L. Anderson demands \$50,000.00 from the City of Milwaukee and/or the City of Milwaukee Department of Public Works.

DATED at Milwaukee, Wisconsin this 13th day of January, 2021.

HUPY AND ABRAHAM, S.C.
Attorneys for Jennifer L. Anderson,

By: 
Todd R. Korb
State Bar Number: 1026950

Post Office Address:
111 East Kilbourn Avenue
Suite 1100
Milwaukee, Wisconsin 53202
(414) 223-4800