

NOTICE OF INJURY AND CLAIM FOR DAMAGES

TO: Ronald D. Leonhardt
Clerk of the City of Milwaukee
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

James P. Poliak
Operations Chief
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Alonzo G. Chapman
Command Chief
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Robert G. Skaradzinski
Fire Captain
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Kevin D. Hafemann
Fire Lieutenant
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Jeffrey L. Barton
Fire Lieutenant
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Alan C. Bykowski
Firefighter
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

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OFFICE OF
CITY ATTORNEY

Brett A. Metzen
Firefighter
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Miguel A. Roman-Cortes
HEQ-OP
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Joseph J. Haasch
HEQ-OP
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Daniel J. Felzer
HEQ-OP
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Craig Parelo
Firefighter
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Michael J. Laweny
Firefighter
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Gregg R. Blumenberg
Firefighter
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

John Does 1-_____
Presently unidentifiable managerial and operations fire personnel
City of Milwaukee Fire Department
711 West Wells Street
Milwaukee, WI 53233

Barbara E. Freundl, whose address is 5324 West Beloit Road, West Milwaukee, Wisconsin, 53214, on behalf of herself and the Estate of Mary Ellen Freundl, hereby gives notice of her personal and the Estate's injuries and states their claims for damages as follows.

On May 13, 2011 commencing at approximately 11:00 p.m. and continuing until approximately 2:00 a.m. on May 14, 2011 a fire destroyed the premises at 1122 East Center Street, Milwaukee, Wisconsin, a property owned and at those times and dates occupied by Mary Ellen Freundl, age 48, the daughter of claimant Barbara Freundl. Despite plain evidence of the likely presence of Mary Ellen Freundl in the residence, such as her car being present, the T.V. on, lights on, animals present, and the neighbors' observations and beliefs, the named and presently unidentifiable personnel of the Milwaukee Fire Department failed to follow fire search protocols for a residential fire in which an occupant might be present and failed to conduct adequate investigations to determine whether Mary Ellen Freundl was present in her residence. Despite requests by Barbara Freundl and others no adequate initial or follow up searches were conducted until May 16, 2011. Had such searches been conducted it is likely they would have found Mary Ellen Freundl, perhaps in time to save her life and certainly in time to have prevented the suffering and anguish of her mother, who sought to have the fire personnel search further on a timely basis. Only a further search on Monday, May 16, 2011 led to the discovery of the thermally scarred and carbon monoxide intoxicated body of the deceased Mary Ellen Freundl.

Claimants seek itemized relief as follows:

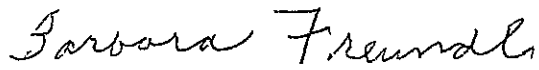
(1) for violation of state law by reason of the named and presently unidentifiable personnels' failure to follow search protocol resulting in the suffering and wrongful death of Mary Ellen Freundl, \$50,000.00; and further consequential damages of \$250,000.00;

(2) for violation of state law by reason of the named and presently unidentifiable personnels' failure to conduct adequate and timely searches for Mary Ellen Freundl resulting in the suffering and wrongful death of Mary Ellen Freundl, \$50,000.00; and further consequential damages of \$250,000.00;

(3) for violation of state law by reason of the named and presently unidentifiable personnels' failure to follow search protocol resulting in the suffering and anguish of Barbara Freundl, \$50,000.00; and further consequential damages of \$250,000.00;

(4) for violation of state law by reason of the named and presently unidentifiable personnels' failure to conduct adequate and timely searches for Mary Ellen Freundl resulting in the suffering and anguish of Barbara Freundl, \$50,000.00; and further consequential damages of \$250,000.00.

Dated at Milwaukee, Wisconsin this 7th day of September, 2011.



Barbara Freundl
Mother of Mary Ellen Freundl
Representative of the Estate of
Mary Ellen Freundl

Address:

5324 West Beloit Road
West Milwaukee, WI 53214
Phone: (414) 339-1114