

Hupy and Abraham s.c.

personal injury lawyers

111 East Kilbourn Avenue, Suite 1100
Milwaukee, WI 53202
Tel 414.223.4800 | Fax 414.271.3374

October 13, 2023

VIA PERSONAL SERVICE

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

PROCESS SERVER *Shum*
TIME _____ AM/PM DATE _____
☐ PERSONAL ☐ SUBSTITUTED
☐ POSTED ☐ CORPORATE

Re: Our Client: Tyrone Cross
Date of Incident: August 25, 2023

Dear Mr. Owczarski,

We represent the claimant noted above. Please find enclosed the original Notice of Injury for the above-referenced matter. Also please find four copies for your records. I would kindly ask that you file-stamp receive one copy and return it to me in the envelope provided.

Thank you for your cooperation in this matter. Please feel free to reach out with any questions or concerns.

Sincerely,
HUPY AND ABRAHAM, S.C.

/s/ Jhalia N. Evans
Litigation Assistant

Enclosures

CITY OF MILWAUKEE
2023 OCT 18 AM 11:34
CITY CLERK'S OFFICE

OFFICE OF CITY ATTORNEY
JIM OW CZARSKI

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NOTICE OF INJURY

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

Jerrel Kruschke
Commissioner of the City of Milwaukee Department of Public Works
841 North Broadway, Room 501
Milwaukee, Wisconsin 53202,

Robert Bauman
Alderman and Chair of the Milwaukee Public Works Committee
856 North 29th Street
Milwaukee, Wisconsin 53208

Jerry E. Williams
1540 West Canal Street
Milwaukee, Wisconsin 53202,

CITY OF MILWAUKEE
2023 OCT 18 AM 11:34
CITY CLERK'S OFFICE

RE: Clients: Tyrone Cross
3112 North 9th Street
Milwaukee, Wisconsin 53206

Incident Location: Intersection of North Teutonia Avenue and West Villard Avenue
Milwaukee, Wisconsin, Zip Code 53209

Date of Incident: August 25, 2023

PLEASE TAKE NOTICE, pursuant to Wis. Stat. § 893.80, that on August 25, 2023, at approximately 12:15 p.m., Demetris Dyson and Tyrone Cross, residing at the above addresses, were the passenger of a motor vehicle traveling southbound on North Teutonia Avenue, at or near the intersection with West Villard Avenue, in the City and County of Milwaukee, Wisconsin; that at the same time and place, Jerry E. Williams was the operator of a motor vehicle owned by the City of Milwaukee, and/or the City of Milwaukee Department of Public Works, also traveling on North Teautonia Avenue, when he negligently operated said motor vehicle and collided with the motor vehicle in which Demetris Dyson and Tyrone Cross were passengers, thereby causing their

OFFICE OF CITY CLERK
1000 N. MILWAUKEE AVENUE
MILWAUKEE, WI 53233

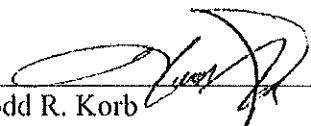
injuries and damages; and that at the time of the accident, upon information and belief, Jerry E. Williams was operating the city-owned motor vehicle while acting in the course and scope of his employment with the City of Milwaukee and/or the City of Milwaukee Department of Public Works.

As a result of this incident, Demetris Dyson and Tyrone Cross sustained injuries and damages. A claim for damages under Wis. Stat. § 893.80(1d)(b) will be made at a later date.

Liability for Demetris Dyson's and Tyrone Cross' injuries and damages is attributed to the City of Milwaukee and/or the City of Milwaukee Department of Public Work pursuant to the theory of vicarious liability, including the doctrine of *Respondeat Superior*, in that it is liable for the acts of its aforementioned employees, servants, agents, representatives, and/or volunteers acting within the course and scope of their duties, in this case, Jerry E. Williams, who operated the city-owned motor vehicle while in the course and scope of his employment and/or agency with the City of Milwaukee and/or the City of Milwaukee Department of Public Works, and failed to exercise ordinary care while operating said motor vehicle in the course and scope of his employment and/or agency.

DATED at Milwaukee, Wisconsin, this 12th day of October, 2023.

HUPY AND ABRAHAM, S.C.
Attorneys for Demetris Dyson and Tyrone Cross,

By: 
Todd R. Korb
State Bar Number: 1026950

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