

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

December 19, 2019

VIA SOUTHEAST WISCONSIN PROCESS

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

RE: Michelle L. Holman
Date of Accident: September 18, 2019

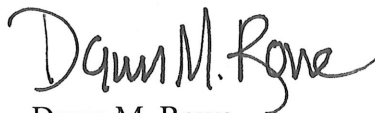
Dear Mr. Owczarski:

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
Paralegal

DMR/
Enclosures

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2019 DEC 20 P 1:46
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PROCESS SERVER *Shamir*
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Fax 563.359.0592

*§† MICHAEL F. HUPY
*¥Δ† JASON F. ABRAHAM
*¥† CHAD A. KREBLIN
*¥*BRANDON D. DERRY
*¥† TODD R. KORB
§ VITO J. MANICIOTO

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*¥ JEFFREY P. SCHULTZ
*¥> JAMIE L. FORD
¥ JORDAN E. CHRISTENSEN

* licensed in Wisconsin
§ licensed in Illinois
¥ licensed in Iowa
« licensed in Minnesota
Δ licensed in Missouri
- licensed in Indiana
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† Certified Civil Trial Specialist
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TELL THEM YOU MEAN BUSINESS.™

NOTICE OF INJURY

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

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

John Doe
(Address Unknown)

RE: Michelle L. Holman
2319 Butler Street
Random Lake, Wisconsin 53075

Date of Accident: September 18, 2019
Location: Interstate Highway 43 and State Highway 145
Milwaukee, Wisconsin 53202

PLEASE TAKE NOTICE, pursuant to Wis. Stat. § 893.82, that on September 18, 2019, Michelle L. Holman, an adult, residing at the above address, was a traveling in a motor vehicle traveling southbound on Interstate Highway 43, at or near the intersection of State Highway 145, in the City and County of Milwaukee, Wisconsin; that while traveling on the highway, a portable sign, with markings indicating that it belongs to the City of Milwaukee Department of Public Works, was negligently secured onto a white pickup truck; that as a result of the negligent securing, the sign fell from the bed of the pickup truck, and came to rest on the highway surface; that the sign's presence on the highway caused many cars to swerve to avoid striking the sign, including Ms. Holman; that when Ms. Holman saw the sign in front of her vehicle, she swerved and lost control of her vehicle, striking the highway median wall, and causing her car to start on fire; that John Doe, a City of Milwaukee Department of Public Works and/or City of Milwaukee employee, while in the course and scope of his employment with the City of Milwaukee Department of Public

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CITY CLERK'S OFFICE


Works and/or the City of Milwaukee, was charged with the responsibility for the safe operation of his vehicle, including the proper stowing of his truck's cargo; that he failed to supervise or otherwise failed to exercise reasonable precaution with respect to his responsibilities to the public by engaging in negligent conduct with a motor vehicle, thereby creating an unreasonable risk of harm and causing the harm to the public, specifically Michelle L. Holman; and that John Doe's failure to properly secure the signs on the motor vehicle and/or exercise reasonable precaution with respect to his responsibilities to the public by engaging in negligent conduct resulted in the injured, Michelle L. Holman's, injuries and damages.

As a result of this incident, Michelle L. Holman sustained injuries and damages. A claim for damages under Wis. Stat. § 893.82 will be made at a later date.

Liability for Michelle L. Holman's injuries and damages is attributed to the City of Milwaukee and/or the Wisconsin Department of Public Works pursuant to the theory of *Respondeat Superior*, in that they are liable for the acts of its employees, servants, agents, and/or volunteers, while within the course and scope of their employment, in this case, John Doe, who failed to exercise ordinary care with respect to safe operation of his vehicle, including stowing of said vehicle's cargo, while in the course and scope of employment.

DATED at Milwaukee, Wisconsin this 19 day of December, 2019.

HUPY AND ABRAHAM, S.C.
Attorneys for Michelle L. Holman,

By: 
Chad A. Kreblin
State Bar Number: 1038136

Post Office Address:

111 East Kilbourn Avenue

Suite 1100

Milwaukee, Wisconsin 53202

(414) 223-4800