

NOTICE OF CIRCUMSTANCE PURSUANT TO SECTION 893.80(1) STATS.

TO: VILLAGE OF HALES CORNERS
c/o VILLAGE CLERK
5635 S. New Berlin Rd.
Hales Corners, WI 53130

CITY OF MILWAUKEE
c/o CITY CLERK
City Hall
200 E. Wells Street; Room 205
Milwaukee, WI 53202

PLEASE TAKE NOTICE, that on July 4, 2014, at approximately 1:44 p.m., Peter Haverlock, 7901 S. Scepter, Unit 7; Franklin, WI 53132, tripped on defective pavement on a sidewalk near the Walgreens in the Village of Hales Corners, County of Milwaukee, State of Wisconsin.

The Village of Hales Corners and the City of Milwaukee are responsible for maintaining safe pavement on sidewalks. Especially when the property under the sidewalk may have been the subject of or in need of repair due to water main/pipe issues. In addition, the water line that is the responsibility of the City of Milwaukee may have been the cause of the dirt, subsoil and cement to shift and move which caused the concrete to buckle and heave. The primary purpose of a sidewalk is to provide for safe transit for pedestrians. The failure to maintain the pipe/water main, and separately the sidewalk, led to severe and painful injuries for Peter Haverlock, and the Village of Hales Corners and the City of Milwaukee are liable.

On the above date and time, Peter Haverlock was walking on the sidewalk near the Walgreens in the Village of Hales Corners. As Mr. Haverlock was walking on the sidewalk, he tripped over an extremely raised portion of the sidewalk where the

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CITY CLERK'S OFFICE

PROCESS SERVER *Shannon B*
TIME _____ AM - PM DATE _____
SERVED UPON A PARTY-TO _____

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☐ POSTED ☐ CORPORATE

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CITY ATTORNEY

expansion joints meet and fell onto the pavement. The defective and unsafe pavement caused the fall of Mr. Haverlock.

The Village of Hales Corners and/or the City of Milwaukee may have failed to properly maintain the pavement where Mr. Haverlock fell, and as a result of the Village of Hales Corners and/or the City of Milwaukee's negligence, Peter Haverlock sustained personal injuries, which necessitated medical care and treatment. Furthermore, these injuries may be permanent in nature.

The undersigned is one of the attorneys for Peter Haverlock and is therefore authorized to submit this Notice of Circumstance.

PLEASE TAKE FURTHER NOTICE that the claim for specific damages will follow this notice at a later date.

PLEASE SEND A WRITTEN ACKNOWLEDGEMENT OF THE
NOTICE OF CIRCUMSTANCES OF CLAIM

DATED at Brookfield, Wisconsin this 1 day of October, 2014.

Groth Law Firm, S.C.
Attorneys for Peter Haverlock

By: 

Jonathan P. Groth (#1027291)

Mailing Address:

13035 W. Bluemound Road, Ste. 205
Brookfield, WI 53005
(877) 375-7001

RECEIVED

FEB 2 - 2015

OFFICE OF
CITY ATTORNEY

NOTICE OF CLAIM AND CLAIM PURSUANT TO WIS. STAT. § 853.80 AND WIS.
STAT. § 853.82

TO: VILLAGE OF HALES CORNERS
c/o VILLAGE CLERK
5635 S. New Berlin Rd.
Hales Corners, WI 53130

CITY OF MILWAUKEE
c/o CITY CLERK
City Hall
200 E. Wells Street; Room 205
Milwaukee, WI 53202

PROCESS SERVER *Shannon S*
TIME _____ AM-PM DATE _____
SERVED UPON & ADDRESS _____
☐ PERSONAL ☐ SUBSTITUTE
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Now comes the Claimant, Peter Haverlock, by and through his attorneys, the Groth Law Firm, LLC and pursuant to Wis. Stat. § 893.80 and Wis. Stat. § 893.82, make the following claims:

1. Claimant, Peter Haverlock (Hereinafter "Peter") is an adult resident of the State of Wisconsin and resides at 7901 S. Scepter, Unit 7; Franklin, WI 53132
2. Respondent, Village of Hales Corners (Hereinafter "Hales Corners") is a Municipal Corporation. The Village President is Robert G. Ruesch. His listed business address is 5740 S. 124th Street; Hales Corners, WI 53130. The Village Administration/Treasurer/Clerk's office is located at 5635 S. New Berlin Road; Hales Corners, WI 53130.
3. Respondent, City of Milwaukee, is a Municipal Corporation. The City Clerk's office is located at City Hall; 200 E. Wells St., Room 205; Milwaukee, WI 53202.
4. Claimant, Peter, has an interest in his health, safety, and personal well-being.
5. Respondents Hales Corners and City of Milwaukee have a duty to maintain safe conditions on their respective property.
6. Respondent Hales Corners has a duty to maintain safe sidewalks.

CITY OF MILWAUKEE
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CITY CLERK'S OFFICE

7. Respondent City of Milwaukee has a duty to maintain sewage, water, and utility lines and pipes so that the respective utility conduits do not interfere with the safe passage on sidewalks.
8. Upon information and belief, on July 4, 2014 at approximately 1:44 pm, Peter tripped on defective pavement on a sidewalk near the Walgreens in the Village of Hales Corners, County of Milwaukee, State of Wisconsin.
9. Hales Corners and the City of Milwaukee are responsible for maintaining safe pavement on sidewalks. Especially when the property under the sidewalk may have been the subject of or in need of repair due to water main/pipe issues. In addition, the water line that is the responsibility of the City of Milwaukee may have been the cause of the dirt, subsoil and cement to shift and move which caused the concrete to buckle and heave. The primary purpose of a sidewalk is to provide for safe transit for pedestrians. The failure to maintain the pipe/water main, and separately the sidewalk, led to severe and painful injuries for Peter, and Hales Corners and the City of Milwaukee are liable.
10. On the above date and time, Peter was walking on the sidewalk near the Walgreens in the Village of Hales Corners. As Peter was walking on the sidewalk, he tripped over an extremely raised portion of the sidewalk where the expansion joints meet and fell onto the pavement. The defective and unsafe pavement caused the fall of Peter.
11. Hales Corners and/or the City of Milwaukee may have failed to properly maintain the pavement where Mr. Haverlock fell, and as a result of the Village of Hales Corners and/or the City of Milwaukee's negligence, Peter Haverlock sustained

personal injuries, which necessitated medical care and treatment. Furthermore, these injuries may be permanent in nature.

12. Current Medical Expenses related to the incident are \$224,998.46.

13. The undersigned is one of the attorneys for Peter Haverlock and is therefore authorized to submit this Notice of Claim and Claim.

WHEREFORE Claimant Seeks

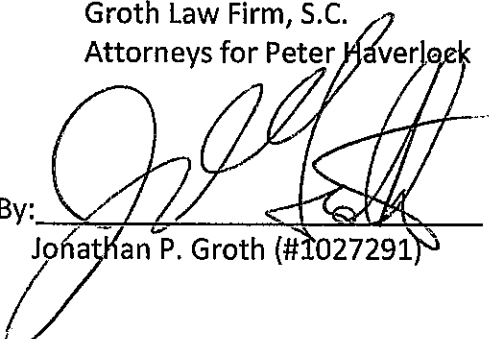
- a. Full compensation for past, present, and future medical costs related to the incident in question.
- b. Past, present, and future wage loss related to the question.
- c. Damages commensurate with permanent injuries sustained during the incident in question.
- d. Past, present, and future pain and suffering related to the injuries sustained during the incident in question.
- e. That the amount of damages totals approximately \$1,000,000.00.

PLEASE SEND A WRITTEN ACKNOWLEDGEMENT OF THE

NOTICE OF OF CLAIM AND CLAIM

DATED at Brookfield, Wisconsin this 28 day of Jan., 2015.

Groth Law Firm, S.C.
Attorneys for Peter Haverlock

By: 
Jonathan P. Groth (#1027291)

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