

NOTICE OF INJURY

PROCESS SERVER  
TIME : AM/PM DATE  
 PERSONAL  SUBSTITUTE  
 POSTED  CORPORATE

TO: Rebecca Grill  
City Clerk  
City of West Allis  
7525 W Greenfield Avenue  
Room 108 to 110  
West Allis, WI 53214

*12-20-22  
3:55 PM  
[Signature]*

Mason Pooler  
Fire Chief  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Kyle Novak  
Deputy Chief, EMS Bureau  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Rachel Lensing  
EMT Paramedic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Trevinn Hare  
EMT Paramedic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Anthony Bilderback  
EMT Paramedic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Guy Paider  
EMT Paramedic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

CITY OF WEST ALLIS  
20 DEC '22 PM3:57

Chad Staszak  
EMT Basic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Randal Abbrederis  
EMT Basic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

Andrew Schoessow  
EMT Paramedic  
City of West Allis Fire Department  
7332 W National Avenue  
West Allis, WI 53214

George L. Christenson  
Milwaukee County Clerk  
Milwaukee County Courthouse, Office of the County Clerk  
901 N 9th St #105  
Milwaukee, WI 53233

Benjamin Weston, MD  
Medical Director, Chief Health Policy Advisor  
Milwaukee County Office of Emergency Management  
633 W Wisconsin Ave #700  
Milwaukee, WI 53203

and

Dan Pojar  
EMS Division Director  
Milwaukee County Office of Emergency Management  
633 W Wisconsin Ave #700  
Milwaukee, WI 53203

**RE:** Ky'reelle Riley (decedent) by Gabrielle Riley (mother)  
2820 S. 81st St., Apt. 1  
West Allis, WI 53219

Date of Incident: August 24, 2022  
Locations: 2820 S. 81st St., Apt. 1, West Allis, WI 53219, as well as  
inside ambulance unit

**PLEASE TAKE NOTICE**, pursuant to Wis. Stat. § 893.80, that on August 24, 2022, at approximately 10:00 p.m., Ky'reelle Riley, a minor, was located at the premises 2820 S. 81st Street, Apartment 1, in the City of West Allis, County of Milwaukee, Wisconsin 53219, as well as inside an ambulance located at or near this premises and en route to Children's Hospital of Wisconsin, located at 8915 W. Connell Ct., City of Wauwatosa, County of Milwaukee, Wisconsin 53226; that at that same time and place, EMS Unit(s) from the City of West Allis Fire Department were dispatched to and also located at 2820 S. 81st Street, Apartment 1, in the City of West Allis, County of Milwaukee, Wisconsin 53219, when they negligently performed their official duties and/or failed to render aid to Ky'reelle Riley, thereby exacerbating his injuries and subsequently causing Ky'reelle Riley's death; that the location of the EMS Unit(s) crew member's negligence occurred at or near the premises 2820 S. 81st Street, Apartment 1, in the City of West Allis, County of Milwaukee, Wisconsin 53219, as well as inside an ambulance.

As a result of this incident, the minor, Ky'reelle Riley, sustained injuries and damages. A claim for damages under § 893.80(1d)(b) will be made at a later date.

The EMS Unit(s) crew members from the City of West Allis Fire Department who negligently performed their official duties and/or failed to render aid to Ky'reelle Riley include, but may not be limited to, Rachel Lensing, Trevinn Hare, Anthony Bilderback, Guy Paider, Chad Staszak, Randal Abbrederis, and Andrew Schoessow; and that these EMS Unit(s) crew members on the scene at the aforementioned date and time who were involved in this incident were employees, agents, servants, representatives, and/or volunteers of the City of West Allis, the County of Milwaukee, and/or the Milwaukee County Office of Emergency Management at all times material.

Liability for Ky'reelle Riley's injuries and damages is attributed to the City of West Allis, the County of Milwaukee, and/or the Milwaukee County Office of Emergency Management under three theories.

First, pursuant to the theory of vicarious liability, including the doctrine of *respondeat superior*, in that they are liable for the actions of their employees, agents, servants, representatives, and/or volunteers, in this case, the EMS Unit(s) crew members on the scene at the aforementioned date and time who were involved in this incident, as described above.

Second, for their own direct negligence in failing to properly hire, train, instruct, retain, and supervise the EMS Unit(s) crew members on the scene at the aforementioned date and time who were involved in this incident.

Third, for their own direct negligence in creating insufficient, improper, and/or dangerous standards of care and instructions for EMS treatment protocols, medical policies, operational guidelines, practice guidelines, and practical skills to guide prehospital medical care provided by the EMS Unit(s) crew members on the scene at the aforementioned date and time who were involved in this incident.


The employees, agents, servants, representatives, and/or volunteers from the City of West Allis, the County of Milwaukee, and/or the Milwaukee County Office of Emergency Management who negligently performed their official duties and thereby impose direct liability onto these entities, as described above, include, but may not be limited to, Mason Pooler, Kyle Novak, Dan Pojar, and Benjamin Weston, MD.

Gabrielle Riley intends to file a claim and/or a lawsuit for Ky'reelle Riley's injuries and damages, as well as a claim and/or lawsuit for her own injuries and damages.

**This document is a notice of injury served upon the named party in compliance with Wisconsin Law and is not a statutory claim for damages.**

**DATED** at Milwaukee, Wisconsin this 19<sup>th</sup> day of December, 2022.

WELCENBACH LAW OFFICES, S.C.  
Attorneys for The Estate of Ky'reelle Riley by  
Gabrielle Riley, and Gabrielle Riley, Individually,

By:   
Robert J. Welcenbach – SBN: 1033091  
Anna V. Fay – SBN: 1094061

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