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NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM
PURSUANT TO WIS. STAT. § 893.80

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BY PERSONAL SERVICE

CITY OF WEST ALLIS
CITY CLERK

TO: Ms. Monica Schultz Clerk
City of West Allis
City Hall, Room 108-110
7525 W. Greenfield Avenue
West Allis, WI 53214

10/7/15
12:35
[Handwritten initials]

CLAIMANTS:
Barbara A. Berens & William Berens
8434 W. Lapham Street
West Allis, WI 53214

And

Mr. Michael Lewis
West Allis Director of Public Works / Department of Public Works
6300 W. McGeoch Avenue
West Allis, WI 53219

PLEASE TAKE NOTICE that Barbara A. Berens and William Berens, the claimants, state that the following circumstances give rise to a claim:

NOTICES OF CIRCUMSTANCES GIVING RISE TO
CLAIM OF BARBARA A. BERENS

1. I am an adult resident of the City of West Allis, County of Milwaukee, State of Wisconsin residing at 8434 W. Lapham Street, West Allis, WI 53214, and am married to William Berens.
2. On Friday, August 7, 2015, I, was walking on the public sidewalk located in front of the residence located at 1445 S. 84th Street in the City of West Allis with members of Milwaukee family heading to the State Fair, at approximately 12:30 – 12:45 p.m.
3. My foot caught on an uneven, upraised section of sidewalk at the aforementioned location. I fell face first on the walk and injured my right arm and shoulder. I was transported by ambulance to the hospital and then, ultimately, to the Wisconsin Heart and Orthopaedic Hospital in Wauwatosa. I sustained a fractured left shoulder, ultimately diagnosed as two fractures to my humerus bone.
4. As a result of the accident, I sustained the aforementioned injuries which required and will require additional extensive medical treatment. The injuries have caused, and will cause, pain, suffering and disability, among other things. I have to date also missed substantial time from my employment, along with having incurred medical bills for past treatment and will incur more in the future to treat my injuries.
5. The City of West Allis and West Allis Department of Public Works, by its officers, officials, agents, employees and assigns were negligent in allowing to exist the defect on the public walk and failing to warn of a hazardous condition in the area in which the accident and resulting injuries to me occurred.
6. As I am still under medical care and the extent of damages has not yet been determined. A Claim for

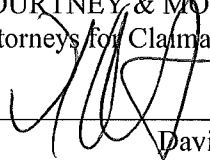
Damages will be submitted when I am released from medical care, my condition has plateaued or when I am otherwise able to determine damages.

NOTICE OF CIRCUMSTANCES GIVING RISE TO
CLAIM OF WILLIAM BERENS

7. I am an adult resident of the City of West Allis, County of Milwaukee, State of Wisconsin, residing at 8434 W. Lapham Street, West Allis, WI 53214, and am married to Barbara A. Berens.
8. As a result of the aforementioned negligence and resulting injuries to my wife, Barbara, I sustained loss of society and companionship of my wife, as well as economic loss due to her inability to work, to contribute to our household and to maintain our household.
9. A claim for damages will be submitted separately at a later date.

Dated: 10/6, 2015.

COURTNEY & MOLTER, S.C.
Attorneys for Claimants



David J. Molter

State Bar No. 1004175

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