

**NOTICE OF INJURY GIVING RISE TO CLAIM FOR DAMAGES
PURSUANT TO WISCONSIN STATUTE SEC. 893.80(1D)(A) AND NOTICE OF
ITEMIZATION OF RELIEF SOUGHT PURSUANT TO WISCONSIN STATUTE
SEC. 893.80 (1D)(B) AND WISCONSIN STATUTE SEC. 345.05**

TO: City of West Allis
c/o Tracey Uttke, City Clerk
7525 West Greenfield Avenue
West Allis, WI 53214

RECEIVED
JUN 10 2026
CITY OF WEST ALLIS

City of West Allis Police Department
11301 West Lincoln Avenue
West Allis, WI 53227

Mark Burckel
11301 West Lincoln Avenue
West Allis, WI 53227

NAME AND ADDRESS OF CLAIMANT:

Malik Merriweather
9315 West Edgewater Drive
Milwaukee, WI 53224

ATTORNEY FOR CLAIMANT:

Attorney Robert D. Crivello
Cannon & Dunphy, S.C.
595 N. Barker Road
P.O. Box 1750
Brookfield WI 53008-1750

LOCATION OF EVENT GIVING RISE TO CLAIM:

West Greenfield Avenue/Eastbound State Highway 59, 273 feet east of South 68th Street, in the City of West Allis, County of Milwaukee, State of Wisconsin

DATE: May 2, 2026 **TIME:** 4:15 p.m.

CIRCUMSTANCES OF EVENTS GIVING RISE TO CLAIM:

Attached as Exhibit 1 is the Wisconsin Motor Vehicle Accident report documenting the circumstances surrounding Malik Merriweather's claim against the City of West Allis. The report also documents that the City of West Allis admits liability for this claim.

On May 2, 2026, our client, Malik Merriweather, was traveling eastbound in his vehicle on Greenfield Avenue, preparing to make a left hand turn into a private business parking lot. At the same time, Mark Burckel, an employee of the City of West Allis Police Department, was traveling eastbound on Greenfield Avenue on the wrong side of the road (operating a motor vehicle owned by the City of West Allis). Upon information and belief, Mark Burckel was within the scope of his employment with the City of Allis/West Allis Police Department at the time of the subject accident.

While on Greenfield Avenue, Mr. Burckel's vehicle crashed into the vehicle occupied by our client, Malik Merriweather. The right-side front of Mr. Burckel's vehicle impacted the left-side front of our client's vehicle. The claimant alleges that Mr. Burckel was negligent in the operation of the motor vehicle owned by the City of West Allis and failed to overtake properly, failed to pass correctly (by passing on the left/wrong side or wrong way), failed to maintain a proper lookout, was driving in excess of the speed limit, failed to yield the right of way, failed to operate his vehicle with due regard under the circumstances, and was otherwise negligent, and that said negligence was the cause of the subject collision. The claimant's notice of injury is being made with respect to the coverage carried by the City of West Allis on May 2, 2026. As a result of the collision, the claimant, Malik Merriweather, sustained injuries, including, but not limited to, head pain, neck pain, and back pain. The claimant's damages

include, but are not limited to, medical expenses, loss of earning capacity, and pain and suffering.

ITEMIZED STATEMENT OF RELIEF SOUGHT

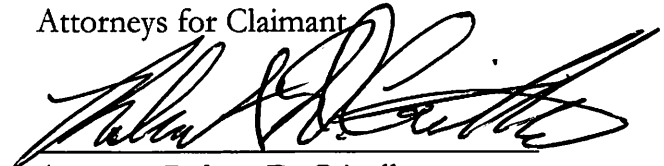
PLEASE TAKE NOTICE that pursuant to Wis. Stat. § 893.80(1d)(b), our client, Malik Merriweather, by his attorneys, Cannon & Dunphy, S.C., of 595 N. Barker Road, P.O. Box 1750, Brookfield, WI 53008-1750, hereby submits a formal Itemization of Relief Sought:

WHEREFORE, pursuant to Wis. Stat. § 893.80(1d)(b) and Wis. Stat. § 345.05, Malik Merriweather, 9315 West Edgewater, Milwaukee, WI 53224, claims damages against Mark Burckel, the City of West Allis Police Department (Mark Burckel's employer), and the City of West Allis (also Mark Burckel's employer) in the amount of \$250,000 (the statutory cap). Again, the claimant's damages include, but are not limited to, medical expenses, loss of earning capacity, and pain and suffering.

Dated at Brookfield, Wisconsin this 9th day of June, 2026.

CANNON & DUNPHY, S.C.
Attorneys for Claimant

By:



Attorney Robert D. Crivello
State Bar No. 1045720

P.O ADDRESS:

595 North Barker Road
P. O. Box 1750
Brookfield, WI 53008-1750
Phone: (262) 796-3709
Fax: (262) 796-3719
Email: rcrivello@c-dlaw.com

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26-017020

WISCONSIN MOTOR VEHICLE
CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
11301 WEST LINCOLN AVENUE
WEST ALLIS, WI 53227
(414) 302-8000

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Document Number Override		Primary Crash Document #		Agency Crash Number		Investigating Officer/Deputy INVESTIGATOR P. BORREE	
Crash Date 05/02/2026		Crash Time 04:15 PM		Date Arrived 05/02/2026		Time Arrived 04:15 PM	
Date Notified 05/02/2026		Time Notified 04:15 PM		Total Units 02		Total Injured 00	Total Killed 00
<input checked="" type="checkbox"/> On Emergency	<input type="checkbox"/> Hit and Run	<input checked="" type="checkbox"/> Lane Closure	<input type="checkbox"/> Work Zone	<input type="checkbox"/> Trailer or Towed		<input type="checkbox"/> Reporting Threshold	
<input type="checkbox"/> Government Property		<input type="checkbox"/> Active School Zone		School Bus Related NO		Tags SUPPLEMENTAL	
<input checked="" type="checkbox"/> Reportable		Crash Type DT4000 (STANDARD CRASH)		<input type="checkbox"/> Amended		<input type="checkbox"/> Secondary Crash	

Description

Diagram		Reconstruction By	
<p>Concrete/brick wall</p> <p>Tree</p> <p>6700blk W. Greenfield Ave</p>		Photos By P.O. LAMM	
		Additional Information PHOTOS, DASH CAMERA VIDEO	

I, a sworn law enforcement officer, agree that I have not added any CJIS data in this report.

UNIT 1 WAS EASTBOUND ON GREENFIELD AVE IN EMERGENCY MODE WITH EMERGENCY LIGHTS AND SIREN ACTIVATED. UNIT 1 EAST INTO THE WESTBOUND LANES OF TRAFFIC TO DRIVE AROUND UNIT 2, WHICH WAS EASTBOUND ON GREENFIELD AVE. UNIT 2 WAS MAKING A LEFT HAND TURN INTO A PRIVATE BUSINESS PARKING LOT. UNIT 1 COULD NOT STOP IN TIME, STRUCK UNIT 2, THEN STRUCK A CONCRETE/BRICK WALL AND A TREE, CAUSING DAMAGE.

EXHIBIT
1

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CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
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WEST ALLIS, WI 53227
(414) 302-8000

Location

ON W GREENFIELD AVE/ STH59 EB 273 FT E OF S 68TH ST IN THE CITY OF WEST ALLIS IN MILWAUKEE COUNTY	Latitude	Longitude
	43.016684973	-87.997249122
	X Coordinate	Y Coordinate
	418737.5625	4763150
	Structure Type	

Crash Scene

First Harmful Event		First Harmful Event Location	
MOTOR VEH IN TRANSPORT		ON ROADWAY	
Manner of Collision		Light Condition	
01 - ANGLE		DAYLIGHT	
Road Surface Condition(s)		Roadway Factor(s)	
DRY			
Environment Factor(s)			
NONE		NONE	
Weather Condition(s)			
CLEAR			
Animal Type		Relation To Trafficway	
		TRAFFICWAY - ON ROAD	
Crash Classification - Location		Crash Classification - Jurisdiction	
PUBLIC PROPERTY		NO SPECIAL JURISDICTION	
Tribal Land		Access Control	Special Study
		NO CONTROL	
Within Interchange Area	Junction Location	Intersection Type	
NO	INTERSECTION-RELATED	FOUR-WAY INTERSECTION	
Closure Type		Reasons for Closure	
LANE CLOSURE		LAW ENFORCEMENT, TOW TRUCK	
Date Initial Lane/Rd Closed	Time Initial Lane/Rd Closed		
05/02/2026	04:18 PM		
Date All Lanes Open	Time All Lanes Open	Date Scene Cleared	Time Scene Cleared
05/02/2026	06:00 PM	05/02/2026	06:00 PM

Unit Summary

01 UNIT	Unit Status		Vehicle Operating As Classification		Unit Type	
	ON EMERGENCY		D CLASS		AUTOMOBILE	
	Vehicle Type				Operating As Endorsements	
	POLICE EMERGENCY					
	Total Occs	Train/Bus # Recorded	Total # Citations Issued	Total Trailers	Total HazMat Types	
	1		0	0	0	
	Insurance?	Direction Of Travel	<input type="checkbox"/> Pre Crash Tire Mark	Speed Limit	Total Lanes	
	YES	EASTBOUND		30	4	
	Most Harmful Event: Collision With			Special Function		Emergency Motor Vehicle Use
	MOTOR VEH IN TRANSPORT			POLICE		EMERGENCY OPERATION, EMERGEN
Traffic Way			Traffic Control		Traffic Control Inoperative/Missing	
TWO-WAY, NOT DIVIDED			TRAFFIC SIGNAL		NO	
Surface Type			Road Curvature		Road Grade	
BLACKTOP (BITUMINOUS)			STRAIGHT		LEVEL	
Truck Bus or HazMat						
NO						
01 01	Vehicle					
	License Plate Number		Plate Type	St	Country of Issuance	
	E9776		OFF - MUNICIPAL OFFICI	WI	UNITED STATES	
	Vehicle Identification Number		Make	Year	Model	
1FM5K8ABXMGA87333		FORD	2021	EXR		

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WEST ALLIS POLICE DEPARTMENT
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(414) 302-8000

UNIT VEHICLE	Color BLK - BLACK	Body Style UT - SPORT UTILITY VEHICLE	Bus Use
	Initial Contact Point 01 - RIGHT FRONT CORNER	Vehicle Damage 01 - RIGHT FRONT CORNER, 02 - RIGHT SIDE FRONT, 03 - RIGHT SIDE MIDDLE, 04 - RIGHT SIDE REAR, 10 - LEFT SIDE FRONT, 11 - LEFT FRONT CORNER	
	Extent Of Damage DISABLING DAMAGE		
	Towed Due To Damage TOWED DUE TO DISABLING DAMAGE	Vehicle Removed By N & S TOWING	
	What Driver Was Doing GOING STRAIGHT	Vehicle Factors NOT APPLICABLE	
Driver Prior Action Other			
UNIT VEHICLE	Driver Actions IMPROPER OVERTAKING / PASSING LEFT, WRONG SIDE OR WRONG WAY		
01 01	Owner Name CITY OF WEST ALLIS (414) 302-8000	Owner Address 11301 W LINCOLN AVE WEST ALLIS, WI 53227 , US	
	Sequence Of Events		
01	Event MOTOR VEH IN TRANSPORT		
02	Event OTHER FIXED OBJECT		
03	Event TREE		
04	Event		
UNIT	Policy Holder		
	Insurance Company CITIES-&VILLAGES-MUTUAL-INS-CO	GOVERNMENT CITY OF WEST ALLIS	
UNIT	Individual		
INDIVIDUAL	DRIVER MARK R BURCKEL (414) 302-8000	Citations Issued 0	Sex MALE
		Date of Birth 09/12/1992	Race WHITE
	Address 11301 W LINCOLN AVE WEST ALLIS, WI 53227 , US		Driver License Number B6245569233209 STATE: WISCONSIN COUNTRY: UNITED STATES
01 001	Safety Equipment	On Duty Crash POLICE	Safety Equipment SHOULDER & LAP BELT
	Row 01 - FRONT ROW	Seat Position 07 - LEFT	
	Helmet Use		Helmet Compliance
	Eye Protection		Tint Compliance
	Injury	Injury Severity NO APPARENT INJURY	Airbag NON DEPLOYED
	Ejected NOT EJECTED	Ejection Path NOT EJECTED/NOT APPLICABLE	Trapped/Extricated NOT TRAPPED
	Medical Transport NOT TRANSPORTED		EMS Agency Identifier EMS Run #

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CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
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(414) 302-8000

UNIT 01 001	Hospital		Date of Death		Time of Death	
	Distracted By		Distracted By Source NOT APPLICABLE (NOT DISTRACTED)			
	Distracted By Action NOT DISTRACTED					
	Non Motorist		Striking Unit #		Location	
	Prior Action					
	Action					
	Action Other					To/From School
	Drug & Alcohol		Suspected Alcohol Use NO		Suspected Drug Use NO	
	Alcohol Test Given TEST NOT GIVEN		Alcohol Test Type		Alcohol Test Results	
	Drug Test Given TEST NOT GIVEN		Drug Test Type		Drug Test Results	
Drug Type						
Individual Condition APPEARED NORMAL						

Unit Summary

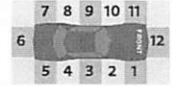
UNIT 02	Unit Status IN TRANSIT		Vehicle Operating As Classification D CLASS		Unit Type AUTOMOBILE	
	Vehicle Type PASSENGER CAR				Operating As Endorsements	
	Total Occs 1	Train/Bus # Recorded	Total # Citations Issued 0	Total Trailers 0	Total HazMat Types 0	
	Insurance? NO	Direction Of Travel NORTHBOUND	<input type="checkbox"/> Pre Crash Tire Mark	Speed Limit 30	Total Lanes 4	
	Most Harmful Event: Collision With MOTOR VEH IN TRANSPORT		Special Function NO SPECIAL FUNCTION		Emergency Motor Vehicle Use NOT APPLICABLE	
	Traffic Way TWO-WAY, NOT DIVIDED		Traffic Control TRAFFIC SIGNAL		Traffic Control Inoperative/Missing NO	
	Surface Type BLACKTOP (BITUMINOUS)		Road Curvature STRAIGHT		Road Grade LEVEL	
	Truck Bus or HazMat NO					

02 02	Vehicle				
	License Plate Number BBK7770		Plate Type AUT - AUTOMOBILE	St WI	Country of Issuance UNITED STATES
	Vehicle Identification Number JM1BL1SFXA1345393		Make MAZDA	Year 2010	Model 3
	Color BLU - BLUE		Body Style SD - SEDAN		Bus Use

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UNIT VEHICLE	Initial Contact Point 11 - LEFT FRONT CORNER		Vehicle Damage 09 - LEFT SIDE MIDDLE, 10 - LEFT SIDE FRONT, 11 - LEFT FRONT CORNER	
	Extent Of Damage DISABLING DAMAGE			
	Towed Due To Damage TOWED DUE TO DISABLING DAMAGE		Vehicle Removed By N & S TOWING	
	What Driver Was Doing LEFT TURN		Vehicle Factors NOT APPLICABLE	
UNIT VEHICLE	Driver Prior Action Other			
	Driver Actions NO CONTRIBUTING ACTION			
	Owner Name MALIK BRAXTON MERRIWEATHER (414) 526-3088		Owner Address 9315 W EDGEWATER DR MILWAUKEE, WI 53224 , US	
02	02			
Sequence Of Events				
UNIT VEHICLE	01	Event MOTOR VEH IN TRANSPORT		
	02	Event		
	03	Event		
	04	Event		
Individual				
UNIT INDIVIDUAL	DRIVER MALIK BRAXTON MERRIWEATHER (414) 526-3088		Citations Issued 0	Sex MALE
	Date of Birth 10/07/1997		Race BLACK/AFRICAN AMERICAN	
	Address 9315 W EDGEWATER DR MILWAUKEE, WI 53224 , US		Driver License Number M6365429736708 STATE: WISCONSIN COUNTRY: UNITED STATES	
UNIT INDIVIDUAL	Safety Equipment		On Duty Crash	
	Row 01 - FRONT ROW		Seat Position 07 - LEFT	
	Safety Equipment		SHOULDER & LAP BELT	
	Helmet Use		Helmet Compliance	
	Eye Protection		Tint Compliance	
UNIT INDIVIDUAL	Injury		Injury Severity NO APPARENT INJURY	
	Airbag		DEPLOYED-SIDE	
	Ejected NOT EJECTED		Ejection Path NOT EJECTED/NOT APPLICABLE	
	Trapped/Extricated NOT TRAPPED			
	Medical Transport NOT TRANSPORTED		EMS Agency Identifier	
Hospital		Date of Death		
Time of Death				
Distracted By		Distracted By Source NOT APPLICABLE (NOT DISTRACTED)		

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CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
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UNIT 02 002	Distracted By Action NOT DISTRACTED		
	Non Motorist	Striking Unit #	Location
	Prior Action		
	Action		
	Action Other		To/From School
	Drug & Alcohol	Suspected Alcohol Use NO	Suspected Drug Use NO
	Alcohol Test Given TEST NOT GIVEN	Alcohol Test Type	Alcohol Test Results
	Drug Test Given TEST NOT GIVEN	Drug Test Type	Drug Test Results
	Drug Type		
	Individual Condition APPEARED NORMAL		

Property Owner

PROP OWNER 01	ORGANIZATION/COMPANY ORF X WEST ALLIS LLC	Address 5865 N POINT PKWY STE 350 ALPHARETTA, GA 30022 , US
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Fixed Objects Struck

	Striking Unit	Struck Object	Structure Number	Damage Tag Number
01	01	OTHER FIXED OBJECT		
02	01	TREE		