

KMIEC LAW OFFICES, S.C.

3741 WEST NATIONAL AVENUE
MILWAUKEE, WISCONSIN 53215-1007

WWW.KMIECLAW.COM
EMAIL: INFO@KMIECLAW.COM

ATTORNEYS AND COUNSELORS

MARJAN R. KMIEC
STEVEN G. KMIEC

July 23, 2015

RECEIVED

JUL 27 2015

TELEPHONE
(414) 649-9790
(262) 650-6800
FACSIMILE
(414) 649-9794

CERTIFIED MAIL

CITY OF WEST ALLIS
CITY CLERK

Ms. Monica Schultz
West Allis City Clerk
West Allis City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

Cert No: 7002 3150 0006 4118 6752

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

Cert No: 7002 3150 0006 4118 6615

Sanitation & Street Division
City of West Allis
Bruce Danowski, Superintendent
6300 West McGeoch Ave
West Allis, WI 53219

Cert No: 7002 3150 0006 4118 6769

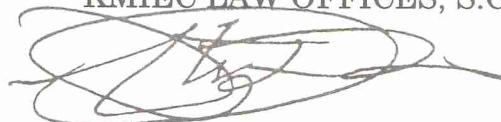
RE: Our Client: Amelia Lozano
Incident Date: 04/17/2015

Dear Sir/Madam:

Enclosed you will find a Notice of Claim & Itemization of Injury for injuries sustained by our client due to the neglect of the City of West Allis to maintain its sidewalks and shut off valve boxes.

Very truly yours,

KMIEC LAW OFFICES, S.C.



Steven G. Kmiec

SGK/wpd
Enclosure

MUNICIPAL NOTICE OF CLAIM & ITEMIZATION OF INJURY

TO: **Ms. Monica Schultz**
West Allis City Clerk
West Allis City Hall
7525 West Greenfield Avenue
West Allis, Wisconsin 53214

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West Allis Director of Public Works
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Sanitation & Street Division
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West Allis, WI 53219

NAME AND ADDRESS OF CLAIMANT

Ms. Amelia Lozano
1943A South 11th Street
Milwaukee, Wisconsin 53204
414-551-7599

CIRCUMSTANCES OF THE CLAIM

After exiting the bus at the bus stop located on the southwest corner of 64th Street and Lincoln Avenue, Ms. Lozano tripped on a severed post sticking out of the sidewalk approximately two inches. See attached photographs.

Signs of municipal work were evident including newly poured concrete slabs near the severed post. Also, near the location were markings consisting of city construction paint markings showing that City workers have performed work nearby the location of the hazard. Therefore, City workers charged with marking the street for purposes of construction were present near the severed post yet failed to do anything about it.

The City has a duty to maintain the sidewalks in the City but they have failed to remove tripping hazards for which they are responsible. Also, there were no warnings or guard related to the tripping hazard.

ITEMIZATION OF RELIEF SOUGHT

Ms. Lozano sustained injuries including a fractured pelvis, bruising to her knee and right arm as well as numbness from her elbow to her fingers. The actual value of the claim vastly exceeds the statutory cap under §893.80, Wis. Stats., of \$50,000.00. The estimated itemization of damages are as follows:

Medical Expenses:	\$35,000.00
Loss of Earnings:	\$25,000.00
Pain, Suffering & Disability:	\$80,000.00

These estimates shall be updated after Ms. Lozano complete treatment. However, given the statutory cap, the Claimant seeks the \$50,000.00 limits.

Dated this 23rd day of July, 2015.

KMIEC LAW OFFICES, S.C.

By: 

Steven G. Kmiec
Attorney for Claimant
State Bar: 01019277

P.O. ADDRESS:

KMIEC LAW OFFICES, S.C.
3741 West National Avenue
Milwaukee, Wisconsin 53215
Phone: 414-649-9790//262-650-6800
Fax: 414-649-9794









