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.

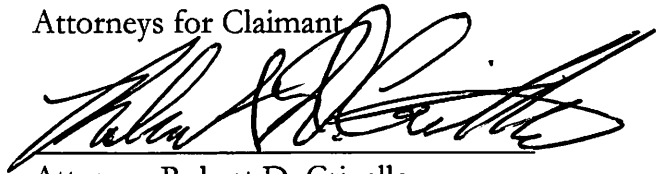
ITEMIZED STATEMENT OF RELIEF SOUGHT

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

1SL097RBDS
26-017020

WISCONSIN MOTOR VEHICLE CRASH REPORT

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

1SL097RBDS

Document Number Override	Primary Crash Document #	Agency Crash Number	Investigating Officer/Deputy
			INVESTIGATOR P. BORREE

Crash Date	Crash Time	Date Arrived	Time Arrived
05/02/2026	04:15 PM	05/02/2026	04:15 PM

Date Notified	Time Notified	Total Units	Total Injured	Total Killed
05/02/2026	04:15 PM	02	00	00

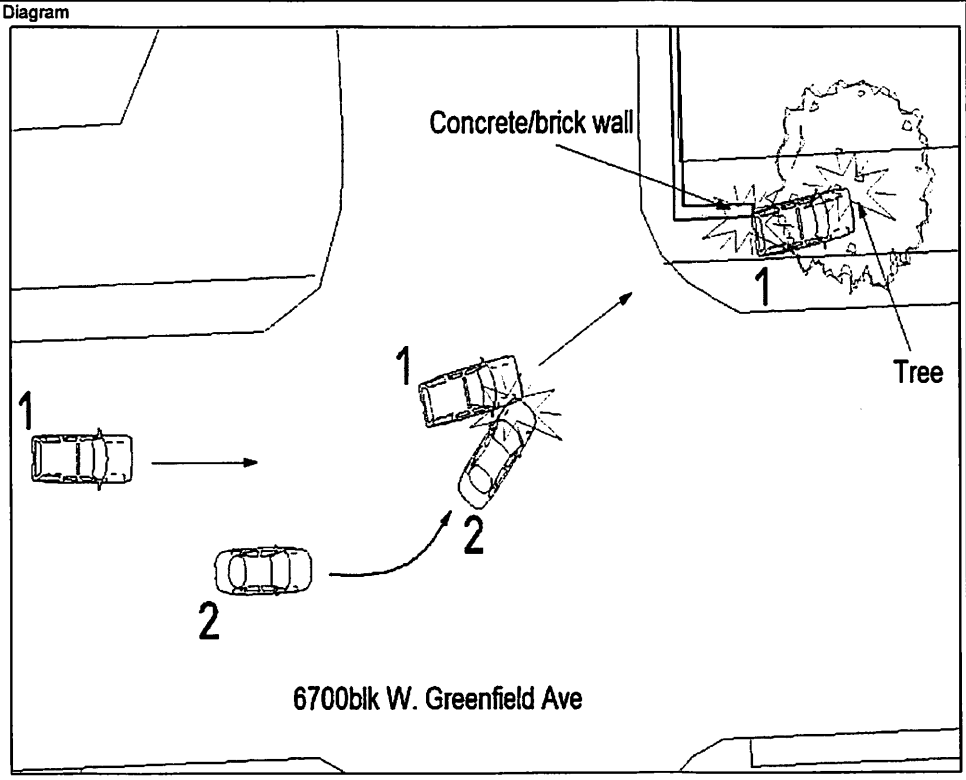
☑ On Emergency	☐ Hit and Run	☑ Lane Closure	☐ Work Zone	☐ Trailer or Towed	☐ Reporting Threshold

☐ Government Property	☐ Active School Zone	School Bus Related	Tags
		NO	SUPPLEMENTAL

☑ Reportable	Crash Type	☐ Amended	☐ Secondary Crash
	DT4000 (STANDARD CRASH)		

Description

Diagram



Reconstruction By

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

WISCONSIN MOTOR VEHICLE CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
11301 WEST LINCOLN AVENUE
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 43.016684973	Longitude -87.997249122
	X Coordinate 418737.5625	Y Coordinate 4763150
	Structure Type	

Crash Scene

First Harmful Event MOTOR VEH IN TRANSPORT	First Harmful Event Location ON ROADWAY
Manner of Collision 01 - ANGLE	Light Condition DAYLIGHT
Road Surface Condition(s) DRY	Roadway Factor(s) NONE
Environment Factor(s) NONE	
Weather Condition(s) CLEAR	
Animal Type	Relation To Trafficway TRAFFICWAY - ON ROAD
Crash Classification - Location PUBLIC PROPERTY	Crash Classification - Jurisdiction NO SPECIAL JURISDICTION
Tribal Land	Access Control NO CONTROL / Special Study

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 05/02/2026	Time Initial Lane/Rd Closed 04:18 PM		
Date All Lanes Open 05/02/2026	Time All Lanes Open 06:00 PM	Date Scene Cleared 05/02/2026	Time Scene Cleared 06:00 PM

Unit Summary

UNIT 01

Unit Status ON EMERGENCY		Vehicle Operating As Classification D CLASS		Unit Type AUTOMOBILE
Vehicle Type POLICE EMERGENCY				Operating As Endorsements
Total Occs 1	Train/Bus # Recorded	Total # Citations Issued 0	Total Trailers 0	Total HazMat Types 0
Insurance? YES	Direction Of Travel EASTBOUND	☐ Pre CrashTire Mark	Speed Limit 30	Total Lanes 4
Most Harmful Event: Collision With MOTOR VEH IN TRANSPORT		Special Function POLICE		Emergency Motor Vehicle Use EMERGENCY OPERATION, EMERGEN
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				

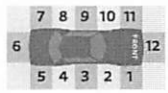
Vehicle — UNIT 01

License Plate Number E9776	Plate Type OFF - MUNICIPAL OFFICI	St WI	Country of Issuance UNITED STATES
Vehicle Identification Number 1FM5K8ABXMGA87333	Make FORD	Year 2021	Model EXR

WISCONSIN MOTOR VEHICLE CRASH REPORT

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

UNIT 01 — VEHICLE 01

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:		
Driver Actions: IMPROPER OVERTAKING / PASSING LEFT, WRONG SIDE OR WRONG WAY		
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:

Policy Holder

Insurance Company: CITIES-&-VILLAGES-MUTUAL-INS-CO	GOVERNMENT: CITY OF WEST ALLIS

UNIT 01 — INDIVIDUAL 001

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	

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 #:

WISCONSIN MOTOR VEHICLE CRASH REPORT

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

UNIT 01 — INDIVIDUAL 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	Suspected Drug Use
NO	NO

Alcohol Test Given	Alcohol Test Type	Alcohol Test Results
TEST NOT GIVEN		

Drug Test Given	Drug Test Type	Drug Test Results
TEST NOT GIVEN		

Drug Type

Individual Condition
APPEARED NORMAL

Unit Summary

UNIT 02

Unit Status	Vehicle Operating As Classification	Unit Type
IN TRANSIT	D CLASS	AUTOMOBILE

Vehicle Type	Operating As Endorsements
PASSENGER CAR	

Total Occs	Train/Bus # Recorded	Total # Citations Issued	Total Trailers	Total HazMat Types
1		0	0	0

Insurance?	Direction Of Travel	Pre CrashTire Mark	Speed Limit	Total Lanes
NO	NORTHBOUND	☐	30	4

Most Harmful Event: Collision With	Special Function	Emergency Motor Vehicle Use
MOTOR VEH IN TRANSPORT	NO SPECIAL FUNCTION	NOT APPLICABLE

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

Vehicle

UNIT 02 — 02

License Plate Number	Plate Type	St	Country of Issuance
BBK7770	AUT - AUTOMOBILE	WI	UNITED STATES

Vehicle Identification Number	Make	Year	Model
JM1BL1SFXA1345393	MAZDA	2010	3

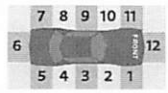
Color	Body Style	Bus Use
BLU - BLUE	SD - SEDAN	

WISCONSIN MOTOR VEHICLE CRASH REPORT

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

UNIT 02 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
Driver Prior Action Other:	
Driver Actions: NO CONTRIBUTING ACTION	



UNIT 02 VEHICLE 02

Owner Name: MALIK BRAXTON MERRIWEATHER (414) 526-3088	Owner Address: 9315 W EDGEWATER DR MILWAUKEE, WI 53224 , US

Sequence Of Events

01	Event: MOTOR VEH IN TRANSPORT
02	Event:
03	Event:
04	Event:

UNIT 02 INDIVIDUAL 002

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	

Safety Equipment

On Duty Crash:	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: DEPLOYED-SIDE	
Ejected: NOT EJECTED	Ejection Path: NOT EJECTED/NOT APPLICABLE	Trapped/Extricated: NOT TRAPPED
Medical Transport: NOT TRANSPORTED	EMS Agency Identifier:	EMS Run #:
Hospital:	Date of Death:	Time of Death:

Distracted By

Distracted By Source: NOT APPLICABLE (NOT DISTRACTED)

WISCONSIN MOTOR VEHICLE CRASH REPORT

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

UNIT 02 — INDIVIDUAL 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	Alcohol Test Type	Alcohol Test Results
TEST NOT GIVEN		

Drug Test Given	Drug Test Type	Drug Test Results
TEST NOT GIVEN		

Drug Type

Individual Condition: APPEARED NORMAL

Property Owner

PROP OWNER 01

ORGANIZATION/COMPANY	Address
ORF X WEST ALLIS LLC	5865 N POINT PKWY STE 350 ALPHARETTA, GA 30022 , US

Fixed Objects Struck

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