KOCESS SERV	ER .
TME:A	MPM DATE
() PERSONAL	() SUBSTITUTE
()POSTED	() CORPORATE

NOTICE OF CIRCUMSTANCES OF CLAIM PURSUANT TO WIS.STATS §893.80(1d)(a)

TO: CITY CLERK
CITY OF WAUWATOSA
7725 W NORTH AVE
WAUWATOSA WI 53213

Received by APR 27 2023

City Clerk's Office

PLEASE TAKE NOTICE Pursuant to Wisconsin Statute § 893.80(1d)(a) that the undersigned will be making a claim for injuries and damages against you by virtue of the reasons set forth hereafter:

NAME OF CLAIMANT:

ANDREA WILKINS

DATE AND TIME OF INJURIES SUSTAINED:

January 4, 2023, approximately 1:00 p.m.

PLACE OR LOCATION WHERE INJURY OR DAMAGES OCCURRED:

On N 90th Street, just south of W. Clarke St., Wauwatosa

MANNER IN WHICH DAMAGES OR INJURIES WERE RECEIVED OR OCCURRED:

Claimant was the operator of a vehicle traveling northbound on N. 90th Street, when a City of Wauwatosa garbage truck, operated by City employee Hayden Howard Eggert, pulled away from the curb into the claimant's lane of travel to travel northbound on N. 90th Street, striking the claimant's vehicle in the through lane of traffic. [See Police Report, attached]

GROUNDS ON WHICH CLAIM IS MADE:

Negligence on the part of the City of Wauwatosa by its agents, servants, and employees including but not limited to negligent hiring, training or supervision of the City of Wauwatosa employee, failure to yield the right of way to traffic in the through lane, failure to see another vehicle in plain sight and improper management and control of the City of Wauwatosa garbage truck.

GENERAL DESCRIPTION OF INJURIES AND DAMAGES:

PERSONAL INJURIES: Neck and Back injuries

MEDICAL EXPENSES

LOST WAGES

PLEASE TAKE NOTICE that satisfaction for such injuries or damages will be claimed, but that the amount of said demand is UNKNOWN at the present time.

Claimant:

ANDREA T WILKINS

ACTION LAW OFFICES, S.C.

BY:

STEVEN C. GABERT

Attorney for the Claimant

933 North Mayfair Road

Suite 307

LAURA

Milwaukee, Wisconsin 53226

Telephone: (414) 456-1111

Subscribed and sworn to before in this Quarter day of April 2023 2/

Jamasm &

Notary Public: State of Wisconsi

My Commission Expires:

THIS IS A <u>NOTICE OF CIRCUMSTANCES OF CLAIM</u> PURSUANT TO WISCONSIN STATUTES §893.80(1d)(a); NOT THE CLAIM ITSELF PURSUANT TO WISCONSIN STATUTES §893.80(1d)(b), THAT IS ANTICIPATED TO BE FILED

WHEN THE FULL DAMAGES CAN BE KNOWN AND THE CLAIM IS READY.

1RL18VN169

23-000238

WISCONSIN MOTOR VEHICLE CRASH REPORT

	Document Number Override	Primary Crash Document#	Agency	Crash Number	Investigating Of PATROLMAN		
69	Crash Date 01/04/2023	Crash Time 01:00 PM	Date A		Time Arrived 01:22 PM		
Š	Date Notified 01/04/2023	Time Notified 01:03 PM	Total U	nits	Total Injured 00	Total Kille	ad
1RL18VN169	On Emergency Hit	and Run Lane Close	ure	Work Zone	☐ Trailer or	Towed	Reporting Threshold
7	Government Property	Active School Zone	School NO	Bus Related	Tags		
	☑ Reportable	Crash Type DT4000 (STANDARD CRASH	1)		Amended	itedescriptures recursos por esta compresso por est	Secondary Crash
į	Description						
	Diagram				R	construction	пВу
	A N Q						
***************************************		aranjah di	((((((((((((((((((((teritori, jainterita sentita terjet e jailetelelele suu, voor este terrorista suore suutena opa terrorista suo	Pr	iotos By	
***************************************	-annivamentos emissiones	Service Servic	000000	Week ***********************************			
	Clarke St	anarian — — — — — — — — — — — — — — — — — — —	**************************************		Ad	ditional Info	mation
	Vehicle placement is approximate)					
	Not drawn to scale	P					
		12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		,			
	Name of the second seco				-		

1,	, a sworn law enforcement				P		
	UNIT 1 (GARBAGE TRUCK) WAS PIC 90TH ST. UNIT 1 STRUCK UNIT 2 AS	KING UP GARBAGE IN THE 2500 BI IT WAS PASSING A PARKED CAR	OCK OF WHILE PI	N 90TH ST. UNIT 2 WAS CKING UP GARBAGE.	TRAVEL ING NORTH	BOUND IN T	HE 2500 BLOCK OF N
1	UNIT 1 DRIVER STATED HE DIDN'T S						
L	UNIT 2 DRIVER STATED UNIT 1 WAS	S STOPPED AND PICKING UP GAR	BAGE.				

WISCONSIN MOTOR VEHICLE CRASH REPORT

WAUWATOSA POLICE DEPARTMENT 1700 NORTH 116TH STREET WAUWATOSA, WI 53226 (414) 471-8430

Location m				- C7 - W				
ON N 90TH ST			Latitu	The state of the s		Longit		
59 FT S OF W CLARKE ST				65807371			25019406	
IN THE CITY OF WAUV IN MILWAUKEE COUN			1	X Coordinate 416541.28125		Y Coo 4768	rdinate 532.5	
				Structure Type NO STRUCTURE				
Crash Scene						# 1111=		
First Harmful Event			First	larmful Even	t Location		,,,,,	
MOTOR VEH IN TRANS	SPORT		ONF	ROADWAY				
Manner of Collision				Condition	***************************************	***************************************		
01 - ANGLE Road Surface Condition(s)				LIGHT		PHOTO		
DRY			Road	way Factor(s))			
Environment Factor(s)			***************************************					
NONE			NON	E				
Weather Condition(s)			***************************************					
CLOUDY								
Inimal Type			Relati	on To Traffic	vav			
				FICWAY -				
rash Classification - Locati	gn				n - Jurisdiction			
UBLIC PROPERTY	-		NO S	PECIAL JU	PRISDICTION			
ribal Land					Access Control Special Study NO CONTROL			
Vithin Interchange Area	Junction Location		Intersection Type					
10	NON-JUNCTION		NOT AN INTER	SECTION				
nit Summary								
nit Status			erating As Classifica	tion	Unit Type	***************************************		
N TRANSIT		B CLASS			TRUCK			
ehicle Type :TRAIGHT TRUCK (INS	EDTTOLICIA				Operating a	As Endorse	rments	
otal Occs	Train/Bus # Recorded	Talel#796				I COUR		
		0	tions Issued	Total Tr		O O	zMat Types	
nsurance? ES	Direction Of Travel	Pre	CrashTire			Total La	nes	
es ost Harmful E vent: Collisio	NORTHBOUND	Secolal Fina	Mark	25	25			
OTOR VEH IN TRANS		NO SPEC	Special Function NO SPECIAL FUNCTION		NOT APPLICABLE			
raffic Way WO-WAY, NOT DIVIDE	D.	Traffic Cont				trol Inopera	utive/Missing	
urface Type		Road Curva			NO Road Grad	0		
LACKTOP (BITUMINO	US)	STRAIGH		LEVEL				
uck Bus or HazMat RUCK OR TRUCK COM			-					
	HEATING THE BILL & MITTHEN PARTY							
venicie	IBINATION > 10,000LBS							
Vehicle License Plate Number	IBINATION > 10,000LBS			13	Country of the	0110000		
	BBINATION > 10,000LBS	Plate Type		St Wi	Country of is			
License Plate Number Vehicle Identification N		Plate Type	JNICIPAL CYCL	St WI Year	UNITED S			
License Plate Number Vehicle Identification N		Plate Type MNC - MU		WI Year		TATES		
License Plate Number Vehicle Identification No.		Plate Type MNC - ML Make PETERBI Body Style	INICIPAL CYCL	Wi Year 2021	UNITED S	TATES		
Vehicle Identification No Color WHI - WHITE		Plate Type MNC - Mt Make PETERBI Body Style GG - GAR	INICIPAL CYCL LT MOTORS CO RBAGE OR REFL	Wi Year 2021	Model NO DATA	TATES		
License Plate Number Vehicle Identification No.	umber	Plate Type MNC - ML Make PETERBI Body Style	INICIPAL CYCL LT MOTORS CO RBAGE OR REFL	Wi Year 2021	Model NO DATA	TATES	7 B P 10 TI	

5

WISCONSIN MOTOR VEHICLE CRASH REPORT

		Towed Due To Damage		Vehicle Removed By					
		NOT TOWED What Driver Was Doing	······	Vehicle Factors					
		ENTERING TRAFFIC LAN	NE	venice racions					
		Orivor Prior Action Other		NOT APPLICABL	orter pro- pro- pro-				
ES	VEHICLE	Oriver Actions LOOKED BUT DID NOT S	BEE		anther and Address parts are not a second parts.				
2	6	Owner Name WAUWATOSA (414) 471-8422		Owner Address 7725 W NORT WAUWATOSA	H AVE , WI 53213 , US				
		Sequence Of Events							
	5	Event MOTOR VEH IN TRANSP	ORT						
	8	Event							
	3	Event							
	8	Event							
Е		Policy Holder							
5		Insurance Company CITIES-&-VILLAGES-MUT	UAL-INS-CO	Government WAUWATOSA					
		Individual							
Topico Company		Driver		Citations Issued	Sex				
	INDIVIDUAL			Date of Birth	Race				
	N	Address		WHITE Driver License Number					
2	IND			STATE: WISCONSIN COUNTRY: UNITED STATES					
Million and August Addition		On Duty	Crash	Safety Equipment			·		
No.	aai 	Fety Equipment EMT/FII	RST-RESPONDER Seat Position	SHOULDER & L	APREIT				
		01 - FRONT ROW Helmet Use	09 - RIGHT	Helmet Comptiance					
		Eye Prot ection							
1				Tint Compliance					
5	100		PARENT INJURY	NON DEPLOYED					
- mediano		1	Ejection Path NOT EJECTED/NOT A	PPLICABLE		Trapped/Extricated NOT TRAPPED			
	200.00	Medical Transport NOT TRANSPORTED		EMS Agency Identifi	er	EMS Run#			
	COLUMN TO SERVICE	Hospital		Date of Death		Time of Death			
The second parties		Distracted By NOT AP	By Source						
Brogatus and di	٢	Distracted By Action	FLICABLE (NOT DIST	RAUIED)					
		NOT DISTRACTED							

WISCONSIN MOTOR VEHICLE CRASH REPORT

	-											(414) 41 1-04
		Non Motorist	Striking	J Unit #	Location						************	
		Prior Action	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	<u> </u>			***************************************	***************************************			
	- r	Action		77				***************************************				
LENS	INDIVIDUAL	AGBOR						,				
		Action Other	***************************************						***************************************			
												To/From School
		Drug & Alcohol	Suspect N O	led Alcohol Us	19	Susp NO	ected Drug Use				***************************************	1
		Alcohol Test Given TEST NOT GIVEN			Alc ohol Test	Туре				Alcohol Te	st Re	esults
		Drug Test Given TEST NOT GIVEN			Drug Test Ty	/pe		Drug	Test Re	sults		
2	90	Drug Type										
	Individual Candition								the state of the s			
	. 1	APPEARED NORMAL										
		Carrier	71.95									
		Use Ve	hicle C	wner Same	as Carrie	r	Source DRIVER				***************************************	
ટ	10	Name WAUWATOSA		·	***************************************		Address				***************************************	
		WAUWAIUSA					7725 W NOT WAUWATOS			us		
	w)	GVWR		Vehicle Con	figuration			***************************************	To	argo Body Type		
LEST	BÚS	MORE THAN 26,000 US DOT #	LB			CK (2-AXLE AND GVWR MORE THA GAI			ARBAGE/RE	RBAGE/REFUSE		
כ	TRUCK	US DOT # Carrier Type NOT IN COMMERCE						ermitted Load OT APPLICA	T APPLICABLE			
	E	OS/OW Load WI Permit Number		□ P				hicle Require	d	Escort Vehicle Present		
		Measured Height		Measurec	Length		Measured Wid	h.	****	Measured V	/eigh	
1	Unit	Summary										
	Unit S	itatus					erating As Clas	silication		Unit Type		
		RANSIT le Type				D CLASS	3		•	AUTOMO		
02		SENGER CAR								Operating A	is En	dorsements
	Total	Oces	Trair	n/Bus#Recor	ded	Total # Cita 0	ations Issued		Total Tr	rallers	Tota 0	al HazMat Types
.	Insura YES	nce?		ction Of Trave	3.1	Pre CrashTire Speed Lin			Limit		al Lanes	
3		larmful Event: Collision V	1	THEOUND		Special Fu	Mark nglion		25	Fmergency	2 Moto	r Vehicle Use
		OR VEH IN TRANSPO	ORT				CIAL FUNCTION	NC		NOT APP	LICA	BLE
- 1	Traffic TWO	Way WAY, NOT DIVIDED				Traffic Con		······································		Traffic Cont	rol In	perative/Missing
	Surfac	е Туре		······································	······································	Road Curv				Road Grade		
	BLA(KTOP (BITUMINOUS	5)			STRAIGH	T			LEVEL		

WISCONSIN MOTOR VEHICLE CRASH REPORT

11	Truck Bus or HazMat NO									
	Vehicle			5-2-10						
	License Plate Number		Plate Type	St	Country of Issuance					
Ĭ			AUT - AUTOMOBILE	WI	UNITED STATES					
3 8	Vehicle Identification Number		Make KIA MOTORS CORPOR	Year A 2022	Model K5					
	Color		Body Style	n 2022	Bus Use					
	GRY - GRAY		SD - SEDAN							
L	Initial Contact Point 05 - RIGHT REAR CORNE Extent Of Damage FUNCTIONAL DAMAGE		Vehicle Damage	7 8 9 10 11						
	Extent Of Damage	i K	OS - DIGHT DEAD CODA	05 - RIGHT REAR CORNER, 06 - REAR						
	FUNCTIONAL DAMAGE		VO " MOIT NILAN CON	ters, vo - rec	in.	6 B 4 3 2 1				
	Towed Due To Damage		Vehicle Removed By							
	NOT TOWED									
	What Driver Was Doing GOING STRAIGHT		Vehicle Factors							
	Driver Prior Action Other		NOT APPLICABLE							
	Driver Actions NO CONTRIBUTING ACTIO	ON .								
=	H NO CONTRIBUTING ACTIO	OI4								
VEHICLE										
	Owner Name AHILSA M BAILEY		Owner Address							
02	3	ARILDA W BAILET								
*5	Sequence Of Events	Sequence Of Events								
ě	Eveni									
200	MOTOR VEH IN TRANSPO	DT								
6	MOTOR VEH IN TRANSPO	RT								
0.0	MOTOR VEH IN TRANSPO	RT								
60	MOTOR VEH IN TRANSPO	RT								
	MOTOR VEH IN TRANSPO	RT								
60	MOTOR VEH IN TRANSPO	RT								
03 02	Event Event Event Event	RT								
03 02	MOTOR VEH IN TRANSPO	RT	Individual							
03 02	Event Event Event Policy Holder	RT	Individual AHILSA BAILEY							
03 02	Event Event Event Policy Holder Insurance Company	RT								
03 02	Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver	RT	AHILSA BAILEY Citations issued Se							
04 03 00	Event Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS	RT	Citations issued Se	MALE						
04 03 00	Event Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS	RT	Citations issued Se O FE Date of Sight Ra	MALE Ge	AN AMERICAN					
0.00 0.3	Event Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS	RT	Citations issued Sa O FE Date of Birth Ra Bi	MALE Ge	CAN AMERICAN					
0.00 0.3	Event Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS	RT	Citations issued Se O FE Date of Sirth Ra BI Driver License Number	CE CE ACK/AFRIC						
03 02	Event Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS	RT	Citations issued Sa O FE Date of Birth Ra Bi	CE CE ACK/AFRIC						
INDIVIDUAL 04 03 02	Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS Address		Citations issued Se O FE Date of Sirth Ra BI Driver License Number	CE CE ACK/AFRIC						
INDIVIDUAL 04 03 02	Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS Address On Duty Co	rash	Citations issued Second	MALE GE ACK/AFRIC						
INDIVIDUAL 04 03 02	Event Event Event Event Policy Holder Insurance Company FARMERS-INS-CO-INC Individual Driver ANDREA WILKINS Address		Citations issued Se 0 FE Date of Birth Ra BI Driver License Number STATE: WISCONSIN CO	MALE GE ACK/AFRIC						