



Winnebago County

Office of the County Clerk

The Wave of the Future

NOTICE OF CLAIM

DATE: July 13, 2020
TO: Doug Petraszak, Linda Staffaroni and Joan Lowe
FROM: Sue Ertmer
RE: Claim from Tom Hanby

Mr. Hanby's claim for damages to his motorcycle due to gravel thrown from Winnebago County Highway Department truck will be presented to the County Board at their July 21, 2020 meeting.

attachments

FILED

NOTICE

10 6/20/20
JUL 13 2020

WINNEBAGO COUNTY
CLERKS OFFICE
WINNEBAGO, WI

It May CONCERN
a "teckie" or
ever they may call it.
I had intended to have
everything mailed to you
in this packet.

But not being actual
dent's Rockoff Motor-
cycle Company said the
damage did not show
up very well on pictures.
But it did on E-mail.
So they insisted on
E-mailing the picture to
you today (07-07-20).
I will send this by
snail-mail today also

They had my name (Tom
Harby) on the E-mail

June 21, 2020

FILED

JUL 13 2020

WINNEBAGO COUNTY
CLERKS OFFICE
WINNEBAGO, WI

Winnebago Co. Clerk:

Thursday, June 18, 2020 sometime after lunch I was traveling east on State Highway 21 about one to one-and-a-half miles west of Oshkosh. I was driving my 2016 Harley-Davidson Road Glide Ultra that I had made into a custom trike. Now the bike was \$40,000⁰⁰. Leaving Red Granite I had a large-body truck behind me the entire way. So I have no idea what might possibly be behind the truck.

Nearing Oshkosh I saw two trucks (stake-bodies I think they call them) approach an intersection from my left. When I am on a bike I am as super-aware of everything around me as I can possibly be. Several cars were going west on it so they could not enter the highway. As traffic going west passed the first truck pulled out in front of me at less than what appeared to be 100 yards. In my mind I felt this was

dangerous as the speed limit was 55 mph. Suddenly the second truck darted out in front of me at less than 50 yards. Decision time: Road - gravel - ditch? Let's take them in reverse. The ditch was small and close to the road - little or no chance to come out of this with anything less than serious injuries. The gravel was also small - 3 1/2' to 4' at the most and gravel is NOT a biker's friend. I kicked the highway - braking and not bleeding - trying not to hit what turned out to be a Winnebago county truck in front of me and trying to keep ahead of the truck behind me. ~~which~~ ^{which} I'm sure he was also doing. And, as you will see later, both these trucks that darted in front of me were Winnebago county trucks and appeared to be almost identical.

Now what was dead serious at the time but now ^{seemed} almost comical, they both turned left again onto another side road what appeared at the time only a couple hundred yards down the

road from where all this started
Due to traffic going west (AGAIN) both
trucks had to stop on highway 21.
Between the two stops I found out
they were carrying what we commonly
call "sea-gravel". It's hitting my
bike it's hitting my helmet, it's
hitting me. Some I could see
bouncing up off the road. Others
I just heard or felt. Now that
they are stopped I smuck around
their right side to let them have
it verbally, and I did. What
surprised me was truck #2 had
what appeared to be a college-aged
boy and the first truck a college-
aged girl. As kerage jobs are hard
to get I assume they are
children of someone very important. Good
luck with that.

Also with ~~the~~ good decision making by
me and the truck blind me you didn't
have to deal with the death of
a private citizen by a public vehicle.
Traffic was horrendous and there was
no time to stop (I'm still responsible

for me and my vehicle). But had I been killed or severely injured I'm sure a lot of people would have stopped and you would have had more witnesses than you would need.

When I was "student help" I didn't get to ride around in a truck all day endangering others. But I can tell you I learned everything there was to know about rakes and shovels. But we are not allowed to "punish" kids this way today! I do believe if your full-time employees were driving those trucks we wouldn't be dealing with this situation. They would not have pulled out into traffic.

When I got over the crisis shortly thereafter I decided it would not be prudent to dial 9-1-1. Not knowing the non-emergency number of either the county sheriff's office or even the city police I just made my way thru town and on to Appleton.

When I got home I got out the phone book and called every number I thought would be able to help:

- 1) non-emergency sheriff's office - answering machine took my call and said memory was full - please try again (later?).
- 2) County Commissioner's office - again answering machine. Following Monday someone named Ray identified himself as County Commissioner (920-232-1700) returned my call. Told him about incident and lack of live communication with all these county departments. He was glad to hear about phone problems and took it as a reminder to look into it. Apparently it has been going on for some time.
- 3) County Highway Department - nothing. Monday someone named John got back to me.
- 4) County Clerk's office - nothing. I called them Monday and this letter-picture-estimate is what I was told to do. Also told

That their mailing address has changed.

5) County Executive - cannot even remember what happened but suffice to say just like all the others I could not talk to anyone!

So here it is. A little late to keep it short. I would hope you would do the honorable thing and cover my damage. Either way I assume I will receive a response from you. In the meantime, weather permitting I would gladly show you my trike & a good excuse to get some windshield time. Let's hope highway department took the Kids Keep away. If there is anything I forgot or can help with to expedite this please let me know.

Sincerely



ROSHOLT MOTORCYCLE CO., INC.
207 NORTH MAIN STREET
ROSHOLT, WI 54473

(715) 677-4738 Fax (715) 677-4738

TOM HANBY (920)450-8474 Acnt #: 1558

N 9739 HWY 49

IOLA, WI 54945

QUOTATION

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July 6, 2020

Sold By: NICK

Product Code	Description	Qty	Price	Price Ext

LABOR	SERVICE DEPT.	2.0	85.00	170.00
CUSTOM PAINT REPIAR	CUSTOM PAINT REPAIR	1.0	460.00	460.00
			Parts Subtotal	460.00
			Labor Subtotal	170.00
			Sales Tax @ 5.50%	34.65
			Total	664.65

Gregor, Cassie

From: Rob Gamble <bikerschoicerob@gmail.com>
Sent: Tuesday, July 7, 2020 11:27 AM
To: Gregor, Cassie
Subject: Fwd: Tom Hanby Claim

Pics of front fairing

ROB GAMBLE
ROSHOLT MOTORCYCLE CO
262-327-6396

*Will be mailing
the other documents
via postal system
7/7/2020*

10:49 AM

Begin forwarded message:

From: rmotorco <rmotorco@yahoo.com>
Date: July 6, 2020 at 11:51:21 CDT
To: Rob Gamble <bikerschoicerob@gmail.com>









