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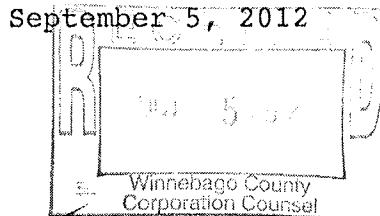
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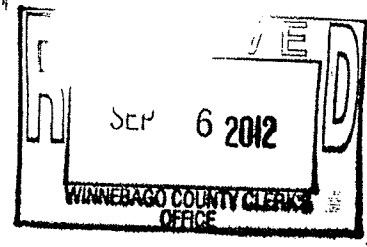
Of Counsel:
ROD A. CHARNHOLM

JOHN C. WHITNEY
1915-1994
E.L. EVERSON
1900-1993



Sue Ertmer, County Clerk
Winnebago County Courthouse
P. O. Box 2808
Oshkosh, WI 54903-2808

Winnebago County Corporation
Counsel
448 Algoma Boulevard
Oshkosh, WI 54901



Re: Claim Against Winnebago County
Claimant: John H. Heide
D/Loss: 8/16/2012

Dear Ms. Ertmer:

Pursuant to Wis. Stats. Section 893.80(1)a, I am providing to you notice of my claim against Winnebago County.

I. Address of Claimant:

John H. Heide
2152 Ridge Crest Trail
Green Bay, WI 54313

I request that all correspondence regarding this matter be provided to me at my office via the above address and communication via the above telephone number.

II. Claim:

On August 16, 2012, at 12:41 p.m., the Winnebago County Sheriff's Department received contact by a concerned motorist that a temporary construction sign in the main span area of the Butte des Morts Bridge was hanging over into the Highway 41 number one southbound lane traffic area. It was reported that a

Page 2
September 5, 2012

semi had to "dodge" to miss striking the sign. See attached Exhibit A.

At approximately 12:45 p.m. on August 16, 2012, I was operating a 2004 Toyota Sequoia southbound on Highway 41 number one lane on the Butte des Morts Bridge while the sign previously mentioned in Exhibit A was still hanging over into the southbound number one lane. I was unable to deviate to lane two to avoid missing the sign due to traffic to my immediate right and substantial traffic behind me.

The sign struck the left side of my vehicle, shattering the driver's mirror, denting the driver's door and scratching the vehicle down the side. A copy of the Accident Report is attached as Exhibit B.

Attached as Exhibit C are photographs of the damage to my vehicle.

Due to the negligence of the county regarding the placement of the sign, the vehicle was damaged in the total sum of \$1,130.49. See attached Repair Estimate, Exhibit D.

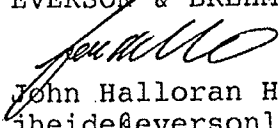
Winnebago County is strictly liable for the placement of roadway signage, including any placement of roadway signage by an individual or entity in control of a construction area.

CONCLUSION

I am requesting Winnebago County pay damages to me in the sum of \$1,130.49 related to this matter.

Very truly yours,

EVERSON, WHITNEY,
EVERSON & BREHM, S.C.


John Halloran Heide
jheide@eversonlaw.com

JHH:ams904-12

Encl.

WINNEBAGO COUNTY SHERIFF
Date: 08/28/12 Time: 15:00

PAGE: 000001
Requested By: NOFFKE, JODI

INCIDENT RECALL

Incident	Time	Type	Pri	Dispo	Address Location	Bldg Apt	Callers Name Callers Address Callers Phone	P unit	Close Date/ Time	Operator

WI12-029571	12:40	HAZARD 4	003		BDM BRIDGE SB			WI/W901	12/08/16	W1W168H

					BDM BRIDGE SB				12:40	
					WW02	02	902	427-3554		

Date	Time	Operator

12/08/16	12:41	Primary Event: MAIN Opened: 12/08/16 12:41
12/08/16	12:41	Incident Initiated By: WI/HAFEMEISTER, MICHELL
12/08/16	12:41	Original Location : BDM BRIDGE SB
12/08/16	12:41	IN THE AREA OF THE MAIN SPAN OF THE BRIDGE A LARGE ORANGE CONSTRUCTION
12/08/16	12:41	SIGN IS KIND OF HANGING THERE IT APPEARED A SEMI HAD TO DODGE IT HAVE
12/08/16	12:41	OFFICER CHECK THE AREA
12/08/16	12:41	Units Recommended BWI/W902
12/08/16	12:42	Units Recommended BWI/W902
12/08/16	12:42	Stat WI/W901 D -DISPATCHED Loc: BDM BRIDGE SB
12/08/16	12:42	Primary Unit CHANGED WI/W901
12/08/16	12:44	Stat WI/W901 E -ENROUTE Loc: BDM BRIDGE SB
12/08/16	12:47	Unit WI/W901 Timed Out
12/08/16	12:50	Stat WI/W901 A -ARRIVAL Loc: BDM BRIDGE SB
12/08/16	13:00	Stat WI/W901 C -CLEAR
12/08/16	13:00	NOTHING OUT OF THE ORDINARY, NO HAZARDS, S/F
12/08/16	13:00	Route Closed: MAIN 003
12/08/16	13:00	Incident Closed: 12/08/16 13:00
12/08/16	13:00	Disposition CHANGED 003 MAIN
12/08/17	18:05	Incident Associated to: LWI120817029707 (A)
12/08/17	18:07	IAAssocInc LWI120817029707 UPDATE Dispo to 0404 MAIN

==== Vehicle / Subject Information ====

NO VEHICLE OR SUBJECT RECORDS FOR EVENT LWI120816029571.

EXHIBIT A

Accident Report**General Information**

Reportable Accident Yes	On Emergency	Amended	DOT Document Number CJ2GV1W	Document Override Number
Agency Accident Number 12-3186			Police Number 12-3186	
4 - Accident Date 8/16/2012	5 - Time of Accident (Military Time) 1245	6 - Total Units 1	7 - Total Injured 0	8 - Total Killed 0
2 - County WINNEBAGO - 70		3 - Municipality OSHKOSH - 09, Town		11 - Accident Location Non-Intersection
14 - On Hwy No. 041	14 - On Street Name	14 - Bus/Frnt/Rmp	15 - Est. Dist Ft/Mi 0.30 Miles	15 - Hwy. Dir SOUTH
16 - Fr/At Hwy No. 45		16 - From/At Street Name		16 - Business/Frontage/Ramp
17 - Structure Type		17 - Structure Number	12 - Latitude	13 - Longitude
80 - First Harmful Event Other Object-- Not fixed			93 - Manner of Collision No Collision with Motor Vehicle in Transport	
112 - Access Control Full Control	113 - Road Curvature Straight	113 - Road Terrain Level/Flat	Surface Type Concrete - 1	
115 - Traffic Way Divided-Highway-Median-Strip-With-Traffic-Barrier				
117 - Relation To Roadway On-Roadway				
114 - Light Condition Daylight		116 - Road Surface Condition Dry		118 - Weather Clear
9 Hit and Run	9 Government Property	9 Fire	9 Photos Taken	9 Trailer or Towed
9 Truck, Bus, or Hazardous Materials	9 Load Spillage	9 Construction Zone Yes		9 Names Exchanged

EXHIBIT B

101 Supplemental Reports	102 Witness Statements	103 Measurements Taken	79 - EMS Number

Operator/Pedestrian 1

Unit Status	81 - Most harmful Event: Collision With Other Object-- Not fixed	23 - Dir Of Travel SOUTH	24 - Speed Limit 55
36 - Operating as Classified D Class	37 - Endorsements		35 Operating Commercial motor Vehicle
29 - Drivers License Number	30 - State WI	31 - Expiration Year 2013	34 - On Duty Accident
25 - Operator/Pedestrian Last Name HEIDE	25 - First Name JOHN	25 - Middle Initial H	25 - Suffix
32 - Date Of Birth		33 - Sex Male	
26 - Address Street & Number 2152 RIDGECREST TRL		26 - PO Box	
27 - City GREEN BAY	27 - State WI	27 - Zip Code 54313	28 - Telephone Number 9204353734
39 - Seat Position Front-Seat-Left-Side-(MC/Bike Driver, Train Conductor)		40 - Safety Equipment	
38 - Injury Severity N - No Apparent Injury	41 - Airbag Non-Deployed	42 - Ejected Not-Ejected	44 Medical Transport
43 - Trapped/Extricated Not-Trapped	92 - Pedestrian Location	92 - Pedestrian Action	
119 - What Driver Was Doing Going-Straight	120 - Traffic Control No-Control	62 - No. of Citations Issued 0	
64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.
64 - 5th Statute No.			
122 - Driver Factors Not-Applicable			
88 - Driver or Pedestrian Cond		89 - Substance Presence	

Appeared Normal		Unknown	
90 - Alcohol Test Test Not Given		90 - Alcohol Content	
		91 - Drug Test Test-Not-Given	
91 - Drugs reported			
124 - Highway Factors Other-Debris, Construction-Zone			

Vehicle 1

21 - Unit Type Automobile		Vehicle Type Passenger-Car		22 - Total Occupants 4	
56 - License Plate Number 548DDH		57 - Plate Type AUT	58 - State WI	59 - Exp Year 2013	55 - Vehicle Identification Number 5TDBT48A44S219552
50 - Year 2004	51 - Make TOYT	52 - Model	53 - Body Style UT	54 - Color BLK	100 - Skidmarks to Impact (Ft) 00
94 - Vehicle Damage					
95 - Extent Of Damage		96 Vehicle Towed Due To Damage		97 - Vehicle Removed By OWNER	
123 - Vehicle Factors Not-Applicable					

Vehicle Owner 1

45 Vehicle Owner Same As Operator Yes					
46 - Vehicle Owner Last Name HEIDE		46 - First Name JOHN		46 - Middle Initial H	46 - Suffix
46 - Company Name					
47 - Address Street & Number 2152 RIDGECREST TRL				47 - PO Box	
48 - City		48 - State		48 - Zip Code	49 - Telephone Number

GREEN BAY	WI	54313	9204353734
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Insurance 1

63 - Liability Insurance Company STATE-FARM	60 Policy Holder Same As Owner Yes
61 - Policy Holder Last Name HEIDE	61 - Policy Holder First Name JOHN
61 - Policy Holder Company	

School Bus 1

Bus Traveling to/from	School Name	Body Make	Seating Capacity
School District Contracted With			

Occupant 1

Address Same As Operator				
65 - Unit No 01	66 - Occupant Last Name HEIDE	66 - First Name KATHERINE	66 - Middle Initial J	66 - Suffix
68 - Address Street & Number 2152 RIDGECREST TRL		68 - PO Box		
68 - City GREEN BAY		68 - State WI	68 - Zip Code 54313	
67 - Date of Birth		69 - Sex Female		
71 - Seat Position Front-Seat-Right-Side-(Train Engineer)		72 - Safety Equipment		
70 - Injury Severity N - No Apparent Injury	73 - Airbag Non-Deployed	75 - Ejected Not-Ejected	77 Medical Transport	
76 - Trapped/Extricated Not-Trapped		78 - Agency Space		

Occupant 2

Address Same As Operator				
65 - Unit No 01	66 - Occupant Last Name HEIDE	66 - First Name HANNAH	66 - Middle Initial E	66 - Suffix
68 - Address Street & Number 2152 RIDGECREST TRL		68 - PO Box		
68 - City GREEN BAY		68 - State WI	68 - Zip Code 54313	
67 - Date of Birth		69 - Sex Female		
71 - Seat Position Second-Seat-Left-Side-(MC/Bike Passenger, Train Breakman)		72 - Safety Equipment		
70 - Injury Severity N - No Apparent Injury	73 - Airbag Non-Deployed	75 - Ejected Not-Ejected	77 Medical Transport	
76 - Trapped/Extricated Not-Trapped		78 - Agency Space		

Occupant 3

Address Same As Operator				
65 - Unit No 01	66 - Occupant Last Name HEIDE	66 - First Name MICHAEL	66 - Middle Initial J	66 - Suffix
68 - Address Street & Number 2152 RIDGECREST TRL		68 - PO Box		
68 - City GREEN BAY		68 - State WI	68 - Zip Code 54313	
67 - Date of Birth		69 - Sex Male		
71 - Seat Position Second-Seat-Middle		72 - Safety Equipment		

70 - Injury Severity N - No Apparent Injury	73 - Airbag Non-Deployed	75 - Ejected Not-Ejected	77 Medical Transport
76 - Trapped/Extricated Not-Trapped		78 - Agency Space	

Property Owner 1

Organization Type Unknown	84 - Property Owner Last Name	84 - First Name	84 - Middle Initial	84 - Suffix
84 - Company Name		Government Property Type		
85 - Address Street & Number		85 - PO Box		
86 - City	86 - State	86 - Zip Code	87 - Telephone Number	
83 - Government Damage Tag Number				

Fixed Objects Struck

82 - Striking Unit 1	82 - Object Struck Other-Object-Not-Fixed	82 - Striking Unit	82 - Object Struck
82 - Striking Unit	82 - Object Struck	82 - Striking Unit	82 - Object Struck
82 - Striking Unit	82 - Object Struck	82 - Striking Unit	82 - Object Struck

Diagram and Narrative

105 - PHOTOS BY
UNIT 1 WAS TRAVELING S/B ON US HWY 41, ON THE BUTTE DES MORTS BRIDGE. UNIT 1 WAS IN LANE #1, AND WHILE TRAVELING STRUCK AN UNKNOWN SIGN THAT WAS AMONGST OTHER CEMENT AND CONSTRUCTION DEBRIS. THE SIGN WAS EXTENDING OVER THE BARRIER, INTO THE LANE OF TRAFFIC. UNIT 1 DID NOT SEE SIGN, AND COULD NOT AVOID CONTACT. AREA WAS CHECKED BY OTHER DEPUTIES WHO COULD NOT LOCATE THE HAZARD. NO INJURIES.

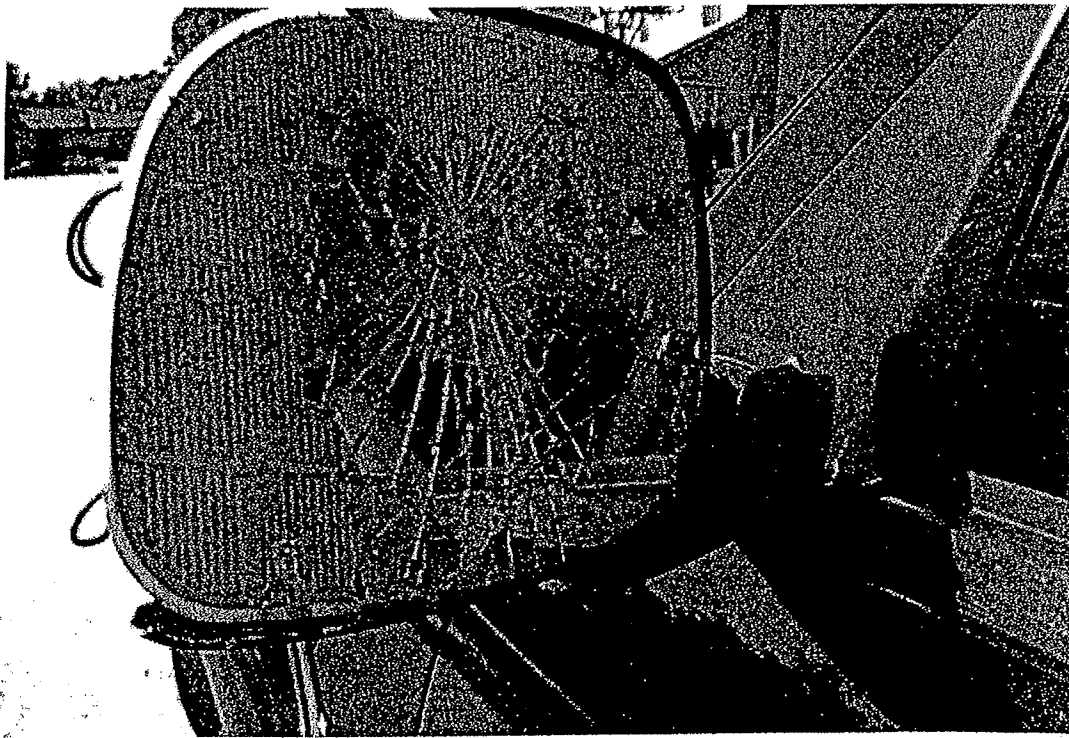
Officer Information

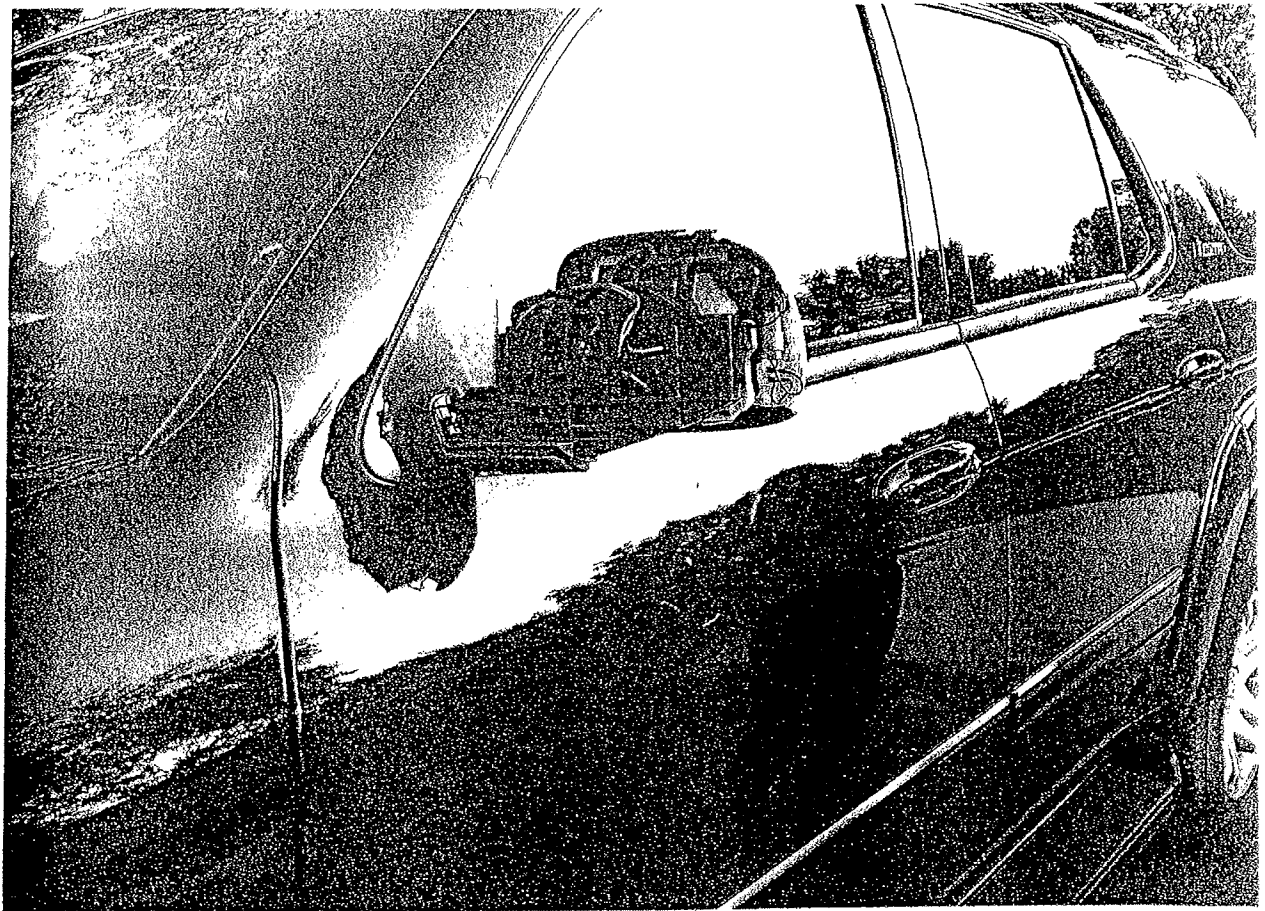
125 - Officer Last Name	125 - First Name TYLER	125 - Middle Initial	131 - Officer ID W54
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SLEETER			
129 - Law Enforcement Agency No. 7100		130 - Law Enforcement Agency Name WINNEBAGO COUNTY SHERIFF	
126 - Law Enforcement Agency Address Street & Number 4311 JACKSON STREET			
127 - City OSHKOSH	127 - State WI	127 - Zip Code 54903	128 - Telephone Number 9202367300
132 - Date Notified 8/17/2012	133 - Time Notified (Military Time) 1543	134 - Time Arrived (Military Time) 1751	135 - Date Of Report 8/18/2012
Agency Accident Number 12-3186	Police Number 12-3186		19 - Special Study
18 - Agency Space 1-W			



EXHIBIT C





WILLIAMS AUTO BODY
825 POTTS AVENUE
GREEN BAY, WI 54304
PHONE: 920-494-7547
FAX: 920-494-7323

TOTAL
REPAIR

*** PRELIMINARY ESTIMATE ***

08/06/2012 08:37 AM

Owner

Owner: KELLY HEIDE
Address: 2152 RIDGECREST TR
City State Zip: Ashwaubenon, WI 54313

Cell: (920)621-0541
FAX:

Inspection

Inspection Date: 08/06/2012 08:38 AM

Inspection Type:

Appraiser Name: Mark Williams

Appraiser License #:

Vehicle

2004 Toyota Sequoia Limited 4 DR Wagon
8cyl Gasoline 4.7
4 Speed Automatic

Lic Expire:
Veh Insp# :
Condition:
Ext. Refinish: Two-Stage

VIN: 5TDBT48A44S219552
Mileage Type: Actual
Code: Y7204B
Int. Refinish: Two-Stage

Options

4-Wheel Drive	8 Passenger Seating	Alarm System
Aluminum/Alloy Wheels	Anti-Lock Brakes	Auto Locking Hubs (4WD)
Automatic Dimming Mirror	Camper/Towing Package	Center Console
Climate Control For A/C	Compact Disc W/Tape	Cruise Control
Dual Air Conditioning	Dual Airbags	Dual Power Seats
Electronic Transfer Case	Fender Flares	Fog Lights
Garage Door Opener	Heated Front Seats	Heated Power Mirrors
Intermittent Wipers	JBL Sound System	Keyless Entry System
Leather Seats	Leather Steering Wheel	Lighted Entry System
Overhead Console	Power Antenna	Power Brakes
Power Door Locks	Power Moonroof	Power Rear Window
Power Steering	Power Windows	Privacy Glass
Rear Heater	Rear Window Defroster	Rear Window Wiper/Washer
Roof/Luggage Rack	Running Boards	Skid Plates
Split Folding Rear Seat	Stability Cntrl Suspensn	Strg Wheel Radio Control
Tachometer	Tilt Steering Wheel	Tinted Glass
Traction Control System	Trailer Hitch	Trip Computer

Damages

Line	Op	Guide	MC Description	MFR.Part No.	Price	ADJ% B%	Hours	R
------	----	-------	----------------	--------------	-------	---------	-------	---

1	I	207	Door Shell,Front LT	Repair		1.0*	SM
2	L	207	13 Door Shell,Front LT	Refinish		3.8	RF
				2.7 Surface			
				0.6 Two-stage setup			
				0.5 Two-stage			
3	E	476	Mldg,Front Door Belt L/F	757200C010	\$113.95	0.2	SM
4	E	264	01 Mirror,Outer R/C LT	879400C070B2	\$252.69	0.3	SM
5	E	214	Glass,Front Door T LT	681020C02083	\$204.71	0.9	SM
6	EC		Cover Car	Replace Economy	\$5.00*	0.2*	SM
7	EC		Corrosion Protection	Replace Economy	\$0.00*	0.2*	SM
8	EC		Hazardous Waste Removal	Replace Economy	\$3.00*		SM
8	Items						

MC Message

01 CALL DEALER FOR EXACT PART # / PRICE
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts	\$571.35	
Other Parts	\$8.00	
Paint Materials	\$129.20	
Parts & Material Total		\$708.55
Tax on Parts & Material	@ 5.500%	\$38.97

Labor	Rate	Replac Hrs	Repair Hrs	Total Hrs		
Sheet Metal (SM)	\$55.00	1.8	1.0	2.8	\$154.00	
Mech/Elec (ME)	\$70.00					
Frame (FR)	\$70.00					
Refinish (RF)	\$55.00	3.8		3.8	\$209.00	
Paint Materials	\$34.00					
Labor Total				6.6 Hours		\$363.00
Tax on Labor		@ 5.500%			\$19.97	
Gross Total						\$1,130.49
Net Total						\$1,130.49

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 54304 Default

Audatex Estimating 6.0.726 ES 08/17/2012 08:25 AM REL 6.0.726 DT 08/01/2012 DB 08/15/2012
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1.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132,
WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION,
WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION,
P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

* = User-Entered Value
EC = Replace Economy
ET = Partial Replace Labor
TE = Partial Replace Price
L = Refinish
TT = Two-Tone
BR = Blend Refinish
CG = Chipguard
AA = Appearance Allowance

E = Replace OEM
OE = Replace PXN OE Srpls
EP = Replace PXN
PM = Replace PXN Reman/Rebld
PC = Replace PXN Reconditioned
SB = Sublet Repair
I = Repair
RI = R & I Assembly
RP = Related Prior Damage

NG = Replace NAGS
UE = Replace OE Surplus
EU = Replace Recycled
UM = Replace Reman/Rebuilt
UC = Replace Reconditioned
N = Additional Labor
IT = Partial Repair
P = Check

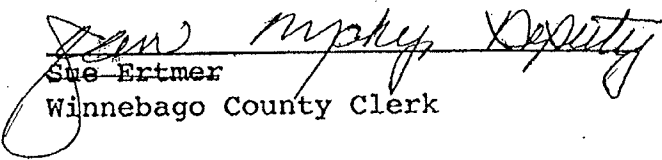


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I hereby certify that on the 6th day of September, 2012, I
was ~~personally~~ ^{by mail} served with the attached Notice of Claim pursuant
to Wisconsin Statutes Section 893.88(1)(a)

Dated: 9-6-2012


Sue Ertmer
Winnebago County Clerk

JHH:ams905-12