

Kris Brown

1614 Fordem Ave

Madison, Wisconsin, 53704

Plaintiff,

Case No. 2019 CV 136

Wrongful Death: 30105

vs.

Harriett Green

1015 Mound St.

Madison, Wisconsin, 53715

Defendant.

Amount claimed is greater
than \$10,000

COMPLAINT & DEMAND FOR JURY TRIAL

Plaintiff, Kris Brown, by her attorney, Jack Graue, alleges:

THE PARTIES

1. Plaintiff, Kris Brown, (hereinafter "Plaintiff") resides at 1614 Fordem Ave, Madison, Wisconsin, 53704.
2. Defendant, Harriett Green, (hereinafter "Defendant") resides at 1015 Mound Street, Madison, Wisconsin, 53715.

CLAIM AGAINST DEFENDANT FOR NEGLIGENCE – BREACH OF DUTY OF
LOOKOUT

3. On February 18, 2019, at approximately 5:00 p.m., at the intersection of E. Washington Avenue and Stoughton Road, in the City of Madison, Dane County, Wisconsin, Plaintiff's spouse, (hereinafter "Spouse") was driving a Mazda 3 in

the northern-most westbound lane of E. Washington Avenue moving west at the intersection.

4. At the previously described time and place, Defendant was driving a Toyota Rav4 at the intersection and accelerated in order to make a left turn while the light was yellow to proceed north on Stoughton Road.
5. At the previously described time and place, Defendant failed to keep a careful lookout for the presence and movement of Spouse's vehicle. Defendant was therefore negligent in breaching Defendant's duty to exercise ordinary care to make observations to effectively avoid the accident.
6. Defendant collided her Rav4 vehicle with Spouse's Mazda3 vehicle, causing Spouse's vehicle to roll over, catch fire and explode with Spouse trapped inside. The impact of the collision was so severe that it rendered Spouse unconscious.
7. Two off-duty EMT were coincidentally near the location of the crash and pulled Spouse out of the flaming car before the ambulance and fire engines arrived. Once the ambulance arrived, Spouse was rushed to the UW Health University Hospital and received emergency medical care.
8. Defendant's negligence was a substantial factor in producing Plaintiff's injuries.
9. At approximately 11:30 PM on February 18, 2019, Spouse's treating physician, Sandra Red, M.D., delivered the notification of Spouse's death to Plaintiff. Plaintiff had been waiting in the emergency room for 6 hours, painfully wondering what Spouse's medical condition was before receiving the death notification.
10. As a result of Spouse's death, Plaintiff has suffered from tremendous emotional distress.
11. The accident created medical expenses of \$150,000 for Plaintiff.
12. Plaintiff's Mazda 3 (worth \$21,000) sustained substantial damage and the insurance company considered it a total loss.
13. As a result of Spouse's death, Plaintiff has suffered the loss of future earning capacity of Spouse. Spouse's annual income was \$75,000.

WHEREFORE, Plaintiff demands judgment against Defendant for:

- a. an order awarding medical expenses;
- b. an order awarding the loss of the Mazda 3;
- c. an order awarding future earning of Spouse;
- d. an order awarding court costs;
- e. an order awarding reasonable attorney's fees and costs; and
- f. an order directing such other and further relief as the court may deem just and proper.

JURY DEMAND

Plaintiff demands a trial by a jury of 12.

Dated this 11th day of November 2019.

Cooper & Kropp
Attorneys for the Plaintiff

Attorney Jack Graue

State Bar No. 3088710

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