#### CITY OF SHEBOYGAN R. O. 103-23-24

### BY CITY CLERK.

#### FEBRUARY 5, 2024.

Submitting a Notice of Injury from Attorney Jordan P. Blad representing Douglas C. Diedrichs.

JAN 1 5 2024

Claim No. 18-23

#### CITY OF SHEBOYGAN NOTICE OF INJURY

Name: Douglas C. Diedrichs Address: 1612 S. 12<sup>th</sup> St. Sheboygan, WI 53081 Phone: (920) 207-0418 Incident/Accident Information Date: September 21,2023 Time: 1:30 p.m. Place: S. 12<sup>th</sup> St. & Spruce Ct. City of Sheboygan

Douglas C. Diedrichs hereby notifies the City of Sheboygan of his injuries arising out of the circumstances as set forth below.

Mr. Diedrichs was injured on September 21, 2023 when he lost control of his motorcycle due to "spilt diesel fuel" on S. 12<sup>th</sup> St. while attempting to turn into his driveway at 1612 S. 12<sup>th</sup> St. in the City of Sheboygan. According to the Sheboygan Police Department Investigation narrative report, upon arrival at the scene the investigating officer was informed by the fire department that they were waiting to document a diesel spill and had located the source of the spill to be a Shoreline Meto bus that had the gas cap off of the diesel fuel tank. The police took photographs of the scene and according to the accident report notified Shoreline Metro. See attached reports.

Mr. Diedrichs suffered injuries to his left side shoulder, chest and arm, and missed approximately 6 weeks of work as a result of the accident and we are in the process of gathering his medical records, bills and wage loss documentation in order to present a claim for damages.

\_\_\_ Date: \_\_\_//6/2029 Signed:

Jordan/P. Blad Attorney for Douglas Diedrichs

Drafted by: Alpert & Fellows LLC P.O. Box 0994 Manitowoc, WI 54221-0994 (920) 682-6361

# G7L0GTNC3R

C23-17121

# WISCONSIN MOTOR VEHICLE CRASH REPORT

SHEBOYGAN POLICE DEPARTMENT 1315 N 23RD ST SHEBOYGAN, WI 53081 (920) 459-3333

Document Number Override Primary Crash D		rooument#			Investigating Officer/Deputy SERGEANT K. POST			
Crash Date 09/21/2023	Crash Time 01:31 PM	01:31 PM Time Notified 02:09 PM		/2023	Time Arrived 02:15 PM			
Date Notified 09/21/2023				Jnits	Total Injured Total Kille 01 00 Trailer or Towed		Reporting Threshold	
On Emergency	Hit and Run			Work Zone				
Government Active School Zone			Schoo NO	l Bus Related	Tags			
Reportable	Crash Type DT4000 (ST	ANDARD CRAS	iH)		Amendee	ł	Secondary Crash	
Description						Reconstructio		
			( ) ( )		F 4	Photos By 50		
		neset & uel spiff uel spiff ith line				PHOTOS		
	Diagra	am not to scale. #45	0	-				
, a sworn law enfo	rcement officer, a	gree that I have	not add	ed any CJIS data in t	his report.			
UNIT 1, A MOTORCYCLE, W WITH THE INTENTION OF D THE SPILT DIESEL CAUSIN AND OPERATOR HAD ABR/	VAS SOUTHBOUND OF ORIVING INTO THEIR E G THE WHEELS TO S	N S 12TH ST PASSI DRIVEWAY, THERE LIP AND FOR IT TO	NG SPRU WAS A CO LAND ON	CE AVE. UNIT 1 RESIDES DNTINUOUS LINE OF SPI I ITS LEFT SIDE AND SKI	AT 1612 S 12TH ST	ONG THE CU	RVE. UNIT 1 DROVE	

Crash Date 09/21/2023 Crash Time 01:31 PM

## G7L0GTNC3R

C23-17121

-

# WISCONSIN MOTOR VEHICLE CRASH REPORT

SHEBOYGAN POLICE DEPARTMENT 1315 N 23RD ST SHEBOYGAN, WI 53081 (920) 459-3333

L		ation				Latituda	Co.P. P. Month		Langitude	
1	ON 1612 S 12TH ST 263 FT S OF SPRUCE CT (HOUSE/BUILDING 1612)					Latitude 43.737018861 X Coordinate 442005.09375			Longitude -87.720187536	
									Y Coordinate 4842917	
		HE CITY OF SHEBO				Structure Type HOUSE/BUILDING				
(	Cras	sh Scene 💻								
T	First	Harmful Event				FirstHam	nfulEventL	ocation		
	OTH	ER NON-COLLISIO	N			ON ROA	DWAY			
ł	Mann	ner of Collision				LightCon	dition			
	00 -	NO COLLISION W/V	EHICLE IN TRANSPORT			DAYLIGHT				
		Surface Condition(s) OTHER				Roadway Factor(s)				
	Envir	onment Factor(s)				-				
	NON	IE				OTHER	DEBRIS			
Ì	Weat	ther Condition(s)				-				
	CLE	AR								
	Anim	alType				Relation	To Trafficwa	ay		
							CWAY - C			
		h Classification - Locati	on			Crash Classification - Jurisdiction NO SPECIAL JURISDICTION				
	Tribal Land					Access Control Special Study NO CONTROL			Special Study	
	With					section Type F AN INTERSECTION				
	NO									
i	Unit	Summary			State State	Constanting				
-		Status				Classification	n	UnitType		
		RANSIT	D CLASS	D CLASS			MOTORCYCLE			
5		cle Type OCYCLE						Operating As Endorsements		
	Tota 1	lOccs	Train/Bus#Recorded	Total#Cita 0	Total#CitationsIssued 0		Total Trailers 0		Total HazMat Types 0	
	Insu	rance?	Direction Of Travel	Pre CrashTi		ire Speed Li		imit	TotalLanes	
	YES		SOUTHBOUND		Mark		25		2	
		t Harmful Event: Collisio RGO/EQUIPMENT L			Special Function NO SPECIAL FUNCTION Traffic Control			Emergency Motor Vehicle Use NOT APPLICABLE		
	Traff	fic Way		Traffic Cor				Traffic Co	ntrol Inoperative/Missing	
		D-WAY, NOT DIVIDE	D		NO CONTROL		NO			
		ace Type			Road Curvature			Road Gra		
		KENS OF HazMat	DUS)	CURVE L	EFT			LEVEL		
	NO			and the second second						
	Selfecter and									
		Vehicle								
		License Plate Number		Plate Typ			St	Country of		
		License Plate Number 839TP	Theology and the second se	CYC - C			WI	UNITED		
-		License Plate Number 839TP Vehicle Identification	Number	CYC - C			WI Year	UNITED S Model		
	01	License Plate Number 839TP	Number	CYC - C Make BMW	YCLE		WI	UNITED		
• •		License Plate Number 839TP Vehicle Identification WB30G3304NRA1	Number	CYC - C	YCLE		WI Year	UNITED S Model G310		
	E 01	License Plate Number 839TP Vehicle Identification WB30G3304NRA1 Color	Number	CYC - C Make BMW Body Style	YCLE e DURO		WI Year	UNITED S Model G310	STATES	
	E 01	License Plate Number 839TP Vehicle Identification I WB30G3304NRA1 Color BLK - BLACK Initial Contact Point 00 - NON-COLLISI	Number 9203	CYC - C Make BMW Body Styl EN - EN Vehicle D	e DURO amage	REAR. 09 -	WI Year 2022	UNITED S Model G310 Bus Use	7 8 9 10 11	
LO LINO	01	License Plate Number 839TP Vehicle Identification I WB30G3304NRA1 Color BLK - BLACK Initial Contact Point	Number 9203	CYC - C Make BMW Body Styl EN - EN Vehicle D 08 - LEF	e DURO amage		WI Year 2022	UNITED S Model G310	7 8 9 10 11	

Wisconsin Motor Vehicle Crash Form DT4000 Crash Date 09/21/2023 Crash Time 01:31 PM

### G7L0GTNC3R

C23-17121

2

# WISCONSIN MOTOR VEHICLE CRASH REPORT

SHEBOYGAN POLICE DEPARTMENT 1315 N 23RD ST SHEBOYGAN, WI 53081 (920) 459-3333

		Towed Due To Damage NOT TOWED		cle Removed By						
		What Driver Was Doing		OPERATOR Vehicle Factors						
		NEGOTIATING CURVE	NOT	NOT APPLICABLE						
		Driver Prior Action Other								
UNIT	VEHICLE	DriverActions NO CONTRIBUTING ACTION								
01	01	OwnerName DOUGLAS CHARLES DIEDERICHS (920) 207-0418	1	Owner Address 1612 S 12TH S SHEBOYGAN,	T WI 53081 , US					
		Sequence Of Events								
	01	Event CARGO/EQUIPMENT LOSS OR SHIFT								
	02	Event								
	03	Event								
	04	Event								
-		Policy Holder	30-8-24-5							
UNIT		Insurance Company ALLSTATE-VEHICLE-AND-PROPERTY-INS-C		Individual DOUGLAS DIEDERICHS						
		Individual	n o tagente							
		Driver DOUGLAS CHARLES DIEDERICHS		Citations Issued Sex 0 MALE						
F	DUAI	(920) 207-0418	1. B. C.	ate of Birth 1/26/1971						
LINU	INDIVIDUAL	Address 1612 S 12TH ST SHEBOYGAN, WI 53081 , US	D	DriverLicense Number D3621637102601 STATE: WISCONSIN COUNTRY: UNITED STATES						
	62	On Duty Crash	Pr	rotective Gear						
	54	Row         Seat Position           01 - FRONT ROW         07 - LEFT		NONE						
		HelmetUse		Helmet Compliance APPROVED						
		Eye Protection YES: WINDSHIELD		Tint Compliance UNKNOWN						
01	001	Injury Severity SUSPECTED MINOR INJU		Airbag NON DEPLOYED						
		Ejected Ejection Path NOT APPLICABLE NOT EJECTED/NO				Trapped/Extricated				
		Medical Transport NOT TRANSPORTED		EMS Agency Identifier		EMS Run #				
		Hospital	D	ate of Death		Time of Death				
		Distracted By Source NOT APPLICABLE (NOT D	ISTRACT	ED)		I				
		Distracted By Action NOT DISTRACTED	<u>.</u>							

## G7L0GTNC3R C23-17121

9

# WISCONSIN MOTOR VEHICLE CRASH REPORT

SHEBOYGAN POLICE DEPARTMENT 1315 N 23RD ST SHEBOYGAN, WI 53081 (920) 459-3333

		Non Motorist	Striking Unit#	Location				
		PriorAction				_		
	JAL	Action						
UNIT	INDIVIDUAL							
		Action Other						To/From School
	1	Drug & Alcohol	Suspected Alcohol	Use	Suspected Drug Use			
		Alcohol Test Given TEST NOT GIVEN		Alcohol Test Type			Alcohol Test Results	
		Drug Test Given TEST NOT GIVEN		Drug Test Type		Drug Test Results		
01	001	Drug Type					a dan sa t	
		Individual Condition	IAL					



# **SHEBOYGAN POLICE DEPARTMENT**

Incident C23-17121

Nature: PI ACCIDENT Location: N45	Address: S 12TH ST & SPRUCE CT SHEBOYGAN WI 53081				
Offense Codes: 9420 Received By: RAKOW, E	How Received:	T Agency: SPD			
Responding Officers: POST, KEVIN F Responsible Officer: POST, KEVIN F When Reported: 13:31:37 09/21/23	Disposition: Occurred Between:	SIT 09/21/23 13:31:37 09/21/23 and 13:33:21 09/21/23			
Assigned To: Status:	Detail: Status Date: **/**/*	Date Assigned: **/**/** * Due Date: **/**/**			
Complainant:					
Last:	First:	Mid:			
DOB: **/**/**	Dr Lic:	Address:			
Race: Sex:	Phone:	City: ,			
Offense Codes					
Reported:		Observed: 9420 ACCIDENT/PERSONAL INJURY			
Additional Offense: 9420 ACCIDENT/PER INJURY	RSONAL				
Circumstances LT13 HIGHWAY, ROAD OR ALLEY BM88 NO BIAS					
Responding Officers:	Unit :				
POST, KEVIN F	450				
Responsible Officer: POST, KEVIN F		Agency: SPD			
Received By: RAKOW, E		Last Radio Log: 15:35:38 09/21/23 CMPLT			
How Received: T TELEPHONE		Clearance: CLR CLEARED			
When Reported: 13:31:37 09/21/23		Disposition: SIT Date: 09/21/23			
Judicial Status:	Oc	curred between: 13:31:37 09/21/23			
Misc Entry:		and: 13:33:21 09/21/23			
Modus Operandi:	<b>Description</b> :	Method :			

Sheboygan Police Department Record DO NOT DISCLOSE

10/18/23

Incident C23-17121

#### Involvements

#### Date Type Description Narrative

#450 SHEBOYGAN CITY POLICE DEPARTMENT

INVESTIGATION NARRATIVE

Body Camera: Yes Digital Photos: Yes

#### NARRATIVE:

On 09/21/2023 at approximately 1409 hours, I, Sergeant Post, was dispatched to the area of S. 12th Street and Spruce Court, in reference to an assist complaint. Dispatch advised that the fire department was on scene cleaning up a diesel spill, which had resulted in a motorcyclist having to put down their motorcycle.

Upon arrival, I made contact with fire department personnel. They advised that they had been waiting to clean up the diesel spill until I was there to document the scene. They further advised that they had located the source of the spill to be a Shoreline Metro bus that had the gas cap off of the diesel fuel tank. I took photographs of the scene to document the long, continuous diesel spill that was on the curved portion of the roadway.

I then made contact with the operator of the motorcycle, Douglas C. Diederichs,

Douglas advised that he was on his way home and was negotiating the curve, and intending to pull into his driveway, which is located on the curve, at which point his motorcycle hit the oil slick, causing the rear tires to fall off from underneath, and causing the motorcycle to be laid down on it's left side. Douglas directed me to his motorcycle, a BMW G310, with Wisconsin registration **besize**. I was able to observe that there was scuffing to metal guards on the left side of the motorcycle near the front tire, as well as a broken left tail light. Photos of the damage and the motorcycle are also attached to this complaint. I also observed that Douglas had abrasions to his left side. Douglas directed me to a larger abrasion on his left elbow and upper arm, as well as to a small abrasion on his left outer hand. Photographs of these injuries were also documented. Douglas denied EMS, but said that he planned on going to get medical attention after our contact. It should also be noted that I observed that Douglas had a helmet that he wore during his operation of the motorcycle.

I again had contact with the Battalion Chief that was on scene from the Sheboygan Fire Department. He advised that he had observed trails of diesel from the bus starting in the area of Camelot Blvd all the way on the south side of the city. He advised that he had already stopped at Shoreline Metro, and that they had been somebody to follow the path to resolve any issues.

I then went to Shoreline Metro on Commerce Avenue, and spoke with Safety and Training Coordinator Bud Schultz, and Lead Mechanic Scott Navis. They advised that they were already aware of the incident, and were in the process of sending crews out to begin rectifying the issue in any other places that diesel may have Incident C23-17121

Page 3 of 3

been spilt. I provided them with a case number for this complaint for their records.

This case is considered closed, and at this point, no further follow up is expected. Nothing further.

End of report. SERGEANT POST/jlk

10/18/23