

SHEBELL & SHEBELL^{LLC}

ATTORNEYS AT LAW

June 28, 2016

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via C.M.R.R.R.
7015 1520 0003 1143 0838
Borough of Lavallette
c/o Acting Clerk, Donnelly Amico
1306 Grand Central Avenue
Lavallette, New Jersey 08735

Re: Karen Quigley v. Borough of Lavallette, et al.
Date of Loss: May 1, 2016
Our File No.: 49507

Dear Mr. Amico:

I enclose and serve upon you Notice of Claim on behalf of Ms. Karen Quigley, pursuant to N.J.S.A. 59:8-7, et seq. Kindly forward the enclosed to your insurance carrier and/or risk management office for further handling.

Thank you for your attention to this matter.

Very truly yours,

SHEBELL & SHEBELL, LLC

THOMAS F. SHEBELL, III, ESQ.

TFS/CGT/cgt
Encl.

NOTICE OF CLAIM

A. CLAIMANT INFORMATION:

Name(s): Karen Quigley
Address: 221 Jensen Avenue, Mamaroneck, NY 10543
DOB: 01/18/1971
SSN: [REDACTED]
Telephone: [REDACTED]

B. ATTORNEY INFORMATION (if applicable):

Name: Thomas F. Shebell, III, Esq.
Firm: Shebell & Shebell, LLC
Address: The Pavilion, 655 Shrewsbury Avenue, Shrewsbury, NJ 07702
Telephone: (732) 663-1122
Fax: (732) 663-1144

C. DATE, TIME, PLACE:

May 1, 2016, at approximately 12:45 a.m., northbound Route 35, in or about the area of President Avenue and Guyer Avenue, Lavallette, NJ.

D. CIRCUMSTANCES:

On Sunday, May 1, 2016, at approximately 12:45 a.m., Claimant, Karen Quigley, was a pedestrian who was walking in a lawful crosswalk, at the intersection of northbound Route 35 and Guyer Avenue, in Lavallette, New Jersey. At that time and location, Patrolman, Arthur Reece, was an on-duty officer, employed by the Borough of Lavallette Police Department, operating a police cruiser, without the benefit of headlights when he struck Claimant, Karen Quigley, with his police cruiser causing her to sustain devastating and debilitating injuries.

E. THE INJURIES SUSTAINED:

Fractured facial bones
Fractured nose
Lacerations of the face and legs
Severe bruising, cuts, abrasions to all parts of the body
Severe hematoma of the left leg
Concussion and loss of consciousness
Permanent scarring
Permanent disfigurement of right leg

F. ALLEGATIONS OF NEGLIGENCE AND WRONGFUL ACTS BY PUBLIC ENTITIES WHICH CAUSED CLAIMANT'S INJURIES:

Patrolman, Arthur Reece, operated his police cruiser on May 1, 2016, as an agent, servant, and employee of the Borough of Lavallette Police Department. While on patrol, Patrolman Reece struck and severely injured Karen Quigley, a pedestrian, while she lawfully walked across the roadway in a designated crosswalk. Patrolman Reece operated his police cruiser in a negligent manner, when he failed to have his headlights turned on, yield the right-of-way to pedestrian, Karen Quigley, as she was crossing at the crosswalk. Patrolman Reece failed to make reasonable and sufficient observations for pedestrian traffic at the location of the collision, and failed to maintain proper control of his vehicle, including any reasonable and appropriate evasive maneuvers, so as to avoid striking the Claimant, Karen Quigley. Patrolmen Reece knowingly failed to have his headlights turned on and is considered palpably unreasonable.

Additionally, the Borough of Lavallette, Lavallette Borough Police Department, Patrolman Arthur Reece, and other patrol units acting on behalf of the Borough of Lavallette, knew of their concurrent duty to use caution when driving in or about a designated crosswalk areas; knew of their duty to at all times have headlights activated, particularly at 12:45 a.m.; and Police Officer Reece, as well as the public entities named herein, jointly, individually and/or severally, allowed a dangerous and hazardous condition to exist. More specifically, the public entities negligently permitted and created a dangerous condition by deliberately failing to utilize the use of headlights so as to warn people, particularly, Claimant, Karen Quigley, of traffic when crossing in a designated cross-walk. Having had actual and/or constructive notice of the dangerous condition that existed at the intersection and created the dangerous condition by their failure to illuminate their patrol cruisers, and the dangerous condition by failing to properly supervise, maintain, or correct the use luminaries before the date of this incident.

G. THE NAME(S) AND PUBLIC ENTITY(IES) OR EMPLOYEE(S) CAUSING THE INJURY:

Policer Officer, Arthur Reece
Lavallette Police Department
Borough of Lavallette
County of Ocean
State of New Jersey

H. WAGE LOSS:

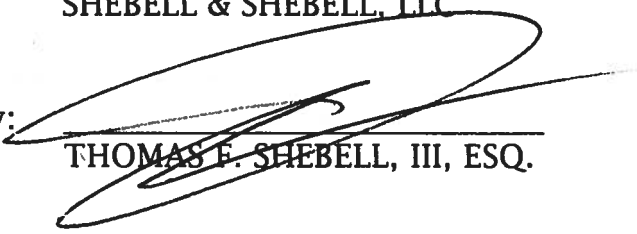
To date, approximately \$9,000.00- \$10,000. Complete wage loss claim to be determined.

I. THE AMOUNT CLAIMED:

Cannot be determined at this time

SHEBELL & SHEBELL, LLC

By:


THOMAS F. SHEBELL, III, ESQ.

Dated: June 28, 2016

Page 1 of 3		New Jersey Police Crash Investigation Report		☒ Reportable ☐ Non-Reportable ☐ Change Report	
99	1	1	1	1	1
01	2	2	2	2	2
04	3	3	3	3	3
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