

APR 19 2017

LANCASTER COUNTY
CLERK

NOTICE OF TORT CLAIM

To: Dr. Steve Joel, Superintendent of Lincoln Public Schools, Lancaster County, Nebraska, P.O. Box 82889, Lincoln, NE 68501, and/or Dan Nolte, Lancaster County Clerk, 555 South 10th Street, Room 108, Lincoln, NE 68508, and/or Teresa Meier, City of Lincoln Clerk, 555 S 10th St, Lincoln, NE 68508.

Notice is hereby given by Loree Havlat that she has a Tort Claim against the City of Lincoln, Lancaster County, and Lincoln Public Schools.

I. TIME AND PLACE OF OCCURRENCE, GIVING RISE TO CLAIM

A. On February 9, 2016, in Lincoln, Lancaster County, Nebraska, the Plaintiff, Loree Havlat, was heading westbound on South Street on the inside lane of traffic between 14th and 15th Streets, when she operated her vehicle to a stop. At that time, she was rear-ended by a Lancaster County School District 001 school bus being operated by a Robert G. Naumann, during the course of his employment. The violent collision totaled the Plaintiff's vehicle and caused serious bodily injury to the Plaintiff.

II. ALLEGATIONS OF NEGLIGENCE

A. Loree Havlat claims the collision and damages were a proximate result of the City of Lincoln, Lincoln Public Schools and/or Lancaster County's employee's negligence in one or more of the following particulars:

1. Failure to keep a proper lookout;
2. Traveling at a rate of speed greater than was reasonable and prudent under the conditions existing at the time of the collision, in violation of Neb. Rev. Stat. 60-6, 185;
3. Failure to yield the right of way to a vehicle within plain vision.

III. COMPENSABLE DAMAGES

A. As a proximate result of the aforementioned rear-end collision, Loree Havlat has suffered the following compensable damages:

1. Nature and extent of the injury including severe neck and back strain resulting in chronic headaches, as well as multiple contusions;
2. Medical expenses to date in the amount of \$5,000.00;
3. Reasonable value of future medical costs;
4. Past and future physical and mental pain and suffering experienced to date;
5. Physical and mental pain and suffering reasonably certain to be experienced in the future.

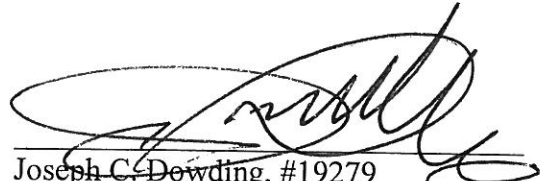
IV. LEGAL BASIS OF CLAIM

- A. Pursuant to Neb. Rev. Stat. §§ 13-905, 13-919, and 13-920 (Reissue 2007), of the Political Subdivisions Tort Claims Act, Loree Havlat is filing a written claim with Dr. Steve Joel, Superintendent of Lincoln Public Schools, Lancaster County, Nebraska, and/or Dan Nolte, Lancaster County Clerk, Lancaster County, Nebraska, and/or Teresa Meier, City of Lincoln Clerk, Lancaster County, Nebraska and directs said official to present the claim to the governing body.
- B. Loree Havlat presents her claim to the governing body to render disposition within six (6) months of the date of filing.

The notice is sent by personal delivery to the following people:

- A. Dr. Steve Joel, Superintendent of Lincoln Public Schools, Lancaster County, Nebraska, P.O. Box 82889, Lincoln, NE 68501
- B. Dan Nolte, Lancaster County Clerk, 555 South 10th Street, Room 108, Lincoln, NE 68508
- C. Teresa Meier, City of Lincoln Clerk, 555 S 10th St, Lincoln, NE 68508

DATED this 17 day of April, 2017.


Joseph C. Dowding, #19279
On behalf of Loree Havlat

Prepared by:
JOSEPH C. DOWDING
DOWDING, DOWDING, DOWDING & URBOM
201 N 8TH STREET, STE. 242
P.O. Box 83103
Lincoln, NE 68501
(402) 477-1010