

NOTICE OF TORT CLAIM

This constitutes a Notice of Claim submitted pursuant to 51 Okla. Stat. Ann. § 156:

Claimant: Jordan Cole
Address: PO Box 504, Webber's Falls, OK 74470
DOB: 12-07-2001
SSN: 448-15-5833
Telephone Number: 918-380-6721
Claimant may be contacted through undersigned counsel.

c/o McGrew, McGrew & Associates
400 N. Walker Ave, Ste 115
Oklahoma City, OK 73102
405-235-9909
office@mcgrew-law.com

Date of Occurrence Giving Rise to Claim: 9/4/2023

Time of Occurrence Giving Rise to Claim: Approximately 11:20 AM

Location of Occurrence Giving Rise to Claim: Muskogee County near E. 253rd St. S. and S. 135th St. E. in Porum, Oklahoma.

Circumstances of Claim:

See attached Oklahoma Official Collision Report

On September 4, 2023, Hayden Pearce was operating a motor vehicle owned by Anna Barger near E. 253rd St. S. and S. 135th St. E. near Porum, Oklahoma in Muskogee County. At the time of the accident, Claimant, Jordan Cole, was a passenger in the subject vehicle, and Hayden Pearce was operating the vehicle as a permissive driver. A tree was lying on the road at approximately the intersection described above without being addressed by county/city/state officials. The county/city/state knew or should have known about the dangerous condition created by the fallen tree and failed to remove it, warn against it, or guard against it. A neighbor, Kimberly Alexander, observed the tree down on the road and called in to report that a tree had fallen but no one answered the phone and there was no option to leave a message. The vehicle in which Claimant was riding struck into the fallen tree causing the death of Hayden Pearce and bodily injury to Claimant, Jordan Cole, as well as property damage to the subject vehicle.

Witness Contact Information: Kimberly Alexander
Address Unknown
918-464-2813

Jordan Cole
c/o McGrew, McGrew & Associates
400 N. Walker Ave, Ste 115
Oklahoma City, OK 73102
405-235-9909
office@mcgrew-law.com

Responsible Parties: The responsible parties¹ that caused the injuries/damages alleged herein include any state entity, municipality, or political subdivision responsible for maintaining the safety of the roadway described above, including removing, warning and guarding against the fallen tree described above, including but not limited to:

1. The City/Town of Porum, OK
2. The City/Town of Stigler, OK
3. The City/Town of Muskogee, OK
4. Muskogee County
5. Haskell County
6. The Oklahoma Department of Transportation (ODOT)
7. The State of Oklahoma
8. The Muskogee County Board of County Commissioners
9. Any officers, deputies, troopers, or other staff, or employees or agents of the responsible parties.

Claimant's Injuries/Damages: Claimant has suffered bodily injuries and loss of earnings as a result of the above-described collision. See Claimant's medical records and bills attached hereto, as well as a list of all healthcare providers who have provided treatment to Claimant as a result of the incident.

See also, Authorizations for the Release of Health Information attached.

Amount of Compensation or Other Relief Demanded: \$175,000.00 or the maximum amount allowable by law pursuant to the Oklahoma Governmental Tort Claims Act, whichever is greater.

Attorney Authorized to Discuss Settlement of Claim: Mike McGrew
McGrew, McGrew & Associates
400 N. Walker Ave, Ste 115
Oklahoma City, OK 73102
405-235-9909
office@mcgrew-law.com

¹ Out of an abundance of caution, this notice of tort claim is all encompassing and asserts claims against numerous state and political subdivisions; some may not apply.

Respectfully submitted,



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Oklahoma City, Oklahoma 73102
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Fax: (405) 235-9929
E-mail Address: office@mcgrew-law.com
Attorney for Jordan Cole



MCGREW, MCGREW & ASSOCIATES

LAWYERS FOR POLICYHOLDERS

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MATTHEW MCGREW
ROBIN MCGREW +
KRISTEN MERRITT
Mary McGrew, legal assistant/office manager

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Fax: (405) 235-9929
email: office@mcgrew-law.com
+ licensed to Practice in Kansas
and Texas

August 29, 2024

Muskogee County Board of County Commissioners

400 W. Broadway, Suite 100

Muskogee, OK 74401

Via US Mail-Certified, Return Receipt Requested

Via Hand Delivery

City of Muskogee, Clerk

229 W. Okmulgee Ave.

Muskogee, OK 74401

Via US Mail-Certified, Return Receipt Requested

Via Hand Delivery

Muskogee County, Clerk

400 W. Broadway

Muskogee, OK 74401

Via US Mail-Certified, Return Receipt Requested

Via Hand Delivery

City Of Porum, Clerk

105 S. Arkansas Street

Porum, OK 74455

Via US Mail-Certified, Return Receipt Requested

Via Hand Delivery

City Of Stigler, Clerk

115 S. Broadway

Stigler, OK 74462

Via US Mail-Certified, Return Receipt Requested

Via Hand Delivery

County of Haskell, Clerk

105 SE 3rd Unit C
Stigler, OK 74462

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

Haskell County Commissioners

105 SE 3rd Unit C
Stigler, OK 74462

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

**Office of the Risk Management Administrator of the Office of
Management and Enterprise Services**

Will Rogers Office Building
2401 N. Lincoln Blvd., Suite 118
Oklahoma City, OK 73105

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

Oklahoma Department of Transportation (ODOT)

200 N.E. 21st Street
Oklahoma City, OK 73105

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

Oklahoma Department of Transportation (ODOT)

2800 S. 32nd Street
Muskogee, OK 74401

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

Oklahoma Department of Transportation (ODOT)

1006 Old Mill Road
Stigler, OK 74462

Via US Mail-Certified, Return Receipt Requested
Via Hand Delivery

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Muskogee County
County Clerk
400 W. Broadway
Muskogee, OK 74401



2024 SEP -3 AM 11:11
POLLY IRVING
COUNTY CLERK

