

United for Waukesha Community Fund

PROTOCOL

December 10, 2021

This is the Protocol Document which will govern the United for Waukesha Community Fund at the Waukesha County Community Foundation. The Protocol Document has been developed by the United for Waukesha Community Fund (UWCF) Committee and is subject to approval by the Waukesha County Community Foundation Board of Directors.

All aspects of this Protocol, including without limitation the classifications of claimants, distribution criteria, claims process and timetable, and amounts to be awarded, may be revised and are subject to the full and complete discretion of the UWCF Committee and the Fund Administrator, subject only to the approval of the Board of Directors of the Waukesha County Community Foundation.

Funding

On the night of November 21, 2021, a driver struck parade participants resulting in deaths and injuries. The United for Waukesha Community Fund was created at the Waukesha County Community Foundation along with United Way of Greater Milwaukee and Waukesha County to provide a charitable vehicle to assist victims of the tragic event. The United for Waukesha Community Fund is a project fund within the Waukesha County Community Foundation, a 501(c)(3) nonprofit organization, Federal Tax ID #39-1969122.

The payments from the United for Waukesha Community Fund are to be apportioned in accordance with the severity of the injury to the victims arising from the tragedy in downtown Waukesha, Wisconsin on November 21, 2021.

The proposed distribution classifications are outlined below.

Note: Determination of the amounts for each of the following categories depends upon the following:
1) The balance of the United for Waukesha Community Fund on December 1, 2021, for initial first payment; 2) the receipt of updated data regarding the nature and the number of injuries; 3) completion of the review of all submitted claims; and 4) review by the UWCF Committee, and final approval by the Waukesha County Community Foundation Board of Directors.

Proposed Prioritization of Eligible Individual Claims

A. Individual Death Claims

Eligible claimants for deceased victims as a result of the Waukesha Christmas Parade attack will receive the highest category of payment under the scope of the Protocol. It is anticipated that eligible claimants in this tier will receive the same initial first payment regardless of circumstances.

A second and final payment determination will be made upon receipt of all pertinent data.

B. Individual Physical Injury Claims for Victims Requiring Overnight Hospitalization

Eligible claimants who were physically injured and hospitalized (within 7 days of attack - Nov. 21–28, 2021) for one or more nights due to physical injuries resulting from the attack will receive a first initial payment. It is anticipated that eligible claimants in this tier will receive the same payment regardless of injury based on the length of stay. A signed affidavit will be required.

A second payment determination will be made upon receipt of all pertinent data and is subject to all comments above.

Additional payments may be made in accordance with long-term care for both physical and psychological treatments and will be based on receipt of all pertinent data and subject to all comments above.

C. Individual Physical Injury Claims of Victims Treated at Waukesha and Milwaukee County Area Hospitals (or treated by a private physician or Urgent Care Facility) on an Emergency Out-Patient Basis

Eligible claimants who were physically injured as a result of the Waukesha Christmas Parade attack who were treated as an emergency out-patient (within 7 days of attack - Nov. 21–28, 2021) at one of Waukesha or Milwaukee County area hospitals, Urgent Care Facility, or treated by a private physician, and released without an overnight hospital stay, will receive a first initial payment. It is anticipated that eligible claimants in this tier will receive the same payment regardless of injury. A signed affidavit will be required.

A second payment determination will be made upon receipt of all pertinent data and is subject to all comments above.

Additional payments may be made in accordance with long-term care for both physical and psychological treatments and will be based on receipt of all pertinent data and subject to all comments above.

D. Individual Claims of Victims Present at the Waukesha Christmas Parade, First Responders and Emergency Room and other Medical Professionals Treating Victims

Eligible claimants who were physically present at the Waukesha Christmas Parade at the time of the attack but did not suffer physical injury requiring medical treatment may be eligible to receive a first initial payment. These individuals along with First Responders, and Medical Professionals who served victims of the attack may be eligible claimants in this tier. A signed affidavit will be required.

Additional payments may be made in accordance with long-term care for both physical and psychological treatments and will be based on receipt of all pertinent data and subject to all comments above.

E. Non-profit Agencies Serving Victims of the Waukesha Christmas Parade

The Waukesha County Community Foundation and the United Way of Greater Milwaukee and Waukesha County recognize that some local non-profit agencies are serving victims of the Waukesha Christmas Parade attack. This tier represents a longer-term response than the immediate and grant considerations will be based on the unexpected increase in client services that these agencies are providing as a direct result of the attack. A separate grant application will be utilized for this tier.

F. Non-profit Agencies Providing Mental Health Services

Agencies listed below are providing mental health services or resources for victims of the Waukesha Christmas Parade attack and are designated to receive priority grant funding from the United for Waukesha Community Fund to provide these services. If you are in need of resources beyond your regular provider, these agencies are available to assist with ongoing trauma and mental health related to the Waukesha Christmas Parade attack:

- Children's Wisconsin – Project Ujima
- Community Outpatient Health Services of Menomonee Falls
- Family Service
- Healing Hearts of Southeast Wisconsin
- IMPACT 2-1-1
- National Alliance on Mental Illness (NAMI) Southeast Wisconsin
- Rogers Behavioral Health
- SaintA (becoming Wellpoint Care Network)

**Additional agencies may be added as they are identified.*

Process and Procedures

In order to be eligible to participate in the Program, eligible claimants must submit either the deceased victim claim form or the uniform claim form selecting one of the following categories: a) Physical Injury, b) Physical Presence at the Waukesha Christmas Parade, or c) First Responder or other Medical Professional treating victims. A single Claim Form should be submitted for each eligible claimant.

Area non-profits serving the affected community will have a separate grant application.

The process and procedures for consideration of eligible claims will be as follows:

The Fund will be administered by the UWCF Committee established by the Waukesha County Community Foundation and United Way of Greater Milwaukee and Waukesha County, consisting of the following community leaders:

Paul Farrow, County Executive, Waukesha

Shawn Reilly, Mayor, City of Waukesha

Jennifer Dunn, Director, Victim/Witness Assistance Program, Waukesha County
Department of District Attorney

James Sebert, Ed.D., Superintendent, School District of Waukesha

Ty Taylor, President & CEO, Waukesha State Bank

Shari Campbell, President & CEO, La Casa de Esperanza

Karin Kultgen, MD, Waukesha County Physician (retired)

James Moore, Director of Operations, Waukesha County
Community Foundation

Nicole Angresano, Vice President Community Impact, United Way of Greater
Milwaukee & Waukesha County

*Additional committee members may be added as needed

The Committee has been given the authority to develop a Protocol for the distribution of financial assistance to those most seriously affected by the Waukesha Christmas Parade Tragedy.

- A. Claim Forms and Protocol will be available to all known claimants and potential claimants. A separate grant application will be available for area non-profits working with victims from the event.

Local official agencies and other involved agencies will assist, to the best of their abilities, in notifying eligible claimants. The Protocol and Claimforms will also be available at www.waukeshafoundation.org beginning December 10, 2021. Copies may also be requested by emailing the Fund Administrators at info@waukeshafoundation.org. Only one Claim Form should be submitted by or on behalf of each victim. The Claim Form should be completed and submitted to the Fund Administrators (along with all required supporting documentation)

postmarked no later than February 28, 2022. Requests for copies of the Claim Form and questions regarding the completion of the Claim Form should be sent via email to info@waukeshafoundation.org or by telephone (262) 513-1861.

- B. Claim Forms should be submitted via email, mailed, or hand delivered during normal business hours to:

Waukesha County Community Foundation
2727 N Grandview, #301
Waukesha WI 53188

- C. Individual claimants may request a face-to-face personal meeting (or telephone meeting) before final processing of all claims is completed. These meetings will be scheduled before the individual claim is processed but will not serve to alter the terms and conditions of the Protocol or any allocation set forth in the Protocol. Requests to meet should be sent by email info@waukeshafoundation.org or by telephone at (262) 513-1861.
- D. In the event that a claimant submits an incomplete or deficient claim, e.g., the claimant failed to include required documentation or failed to sign the Claim Form, a representative will work with the claimant in an effort to cure any such deficiencies.
- E. Payments will be issued following the rendering of reviews and determinations of all eligible claims by the UWCF Committee. The Committee will submit payment determinations to the Waukesha County Community Foundation Board of Directors for transmission of the payments to each eligible claimant. Payments will be made by check and sent to claimants via certified mail.
- F. A Claim Form filed for a deceased victim will include the spouse or legal partner's signature if the deceased individual was married at the time of death and shall also include information pertaining to individuals (e.g., spouse, children, parents, siblings) who may be eligible to receive compensation under the local probate law of the jurisdiction where the deceased victim was domiciled. In cases where the victim was not married, the personal representative legally authorized to administer the Estate must submit the Application. If the deceased did not leave a Will, the personal representative must prepare a proposed plan of distribution of the funds among the decedent's legal heirs and beneficiaries. In circumstances where the decedent was, at the time of their death, engaged to be married, cohabitating with an intimate partner, or separated from a spouse, the Administrator may, in its discretion, require a fiancé, intimate partner, or children of the deceased to be included in the proposed distribution plan. The proposed plan will be distributed to all such legal heirs, beneficiaries, fiancé or cohabitating intimate partner, each of whom must consent to the proposed distribution. If agreement among the heirs cannot be reached as to who will serve as the personal representative, or with regard to the proposed

distribution, the applicants will be required to obtain legal authorization from the Probate Court having jurisdiction to determine who is the legally responsible person eligible to file the Application. Under those circumstances, the Fund Administrators will, in their discretion, withhold funds until an agreement is reached, or deposit the affected funds with the Probate Court having jurisdiction, to be held in a separate account, and to be distributed only upon resolution in accordance with a valid court order.

- G. For claims for a minor child, the Claim Form will require the signature of both parents (if both parents are living). For claims for incompetent adults, the Claim Form will require proof of representative capacity, such as a power of attorney, guardianship, appointment of guardian or attorney ad litem.
- H. Claim Forms filed for a physical injury claimant must include a hospital or medical facility statement on official letterhead from the hospital or medical facility that confirms: i) date of admission to the hospital or medical facility, ii) date of discharge from the hospital or medical facility, and iii) and that the injury was sustained as a result of the Waukesha Christmas Parade attack.
- I. The United for Waukesha Community Fund cannot provide tax advice to those receiving payments from the Fund. The UWCF Committee recommends that claimants consult with personal tax advisors for any questions regarding tax liability for these payments. No person has a legal claim or entitlement to receive payments from the Fund.
- J. A full independent review of the United for Waukesha Community Fund will be conducted by an independent auditing firm as soon as possible after March 15, 2022. The results of this review will be made available to all claimants, donors, and the general public, along with a Final Report from the Fund Administrators.

Outreach

- A. The Protocol and the Claim Forms will be disseminated to all known and registered victims and made available on the www.waukeshafoundation.org website and the www.unitedwaygmwc.org website beginning on December 10, 2021. Email requests for copies of the final documents should be made to info@waukeshafoundation.org. **The deadline for submission of the Claim Form is February 28, 2022.** The Fund Administrators will work directly with all claimants as requested to make sure that all claims are submitted by the February 28, 2022 deadline.
- B. Optional face-to-face meetings will be scheduled at the claimant's request. All individual death claims will be processed as soon as the Protocol is formally adopted and the applications received. All claims for those with physical injuries,

those present at the Waukesha Christmas Parade, and first responders will be processed during the period between December 15, 2021 and February 28, 2022. All claimants requesting face-to-face meetings before the claim is processed will be afforded such a meeting during the period between January 3 and February 25, 2022. Meetings will be scheduled at mutually convenient times and locations. In lieu of a face-to-face meeting, the claimant may request a telephone or Zoom meeting. To request a meeting, please send your request via email to info@waukeshafoundation.org or by telephone at (262) 513-1861.

Timeline

- ▶ December 3, 2021: The first phase of distributions to the families of the deceased began. The initial payment amount was \$25,000 per victim.
- ▶ December 10, 2021: The Protocol and Claim Forms were disseminated to all known claimants and potential claimants by local law enforcement and the District Attorney's office to all those they are aware of and to the best of their abilities. These documents have been made available on the Waukesha County Community Foundation and United Way of Greater Milwaukee and Waukesha County's websites for families and all interested parties.
- ▶ December 10, 2021 to February 28, 2022: Claim Forms should be completed and submitted to the Fund Administrator along with the required documentation.
- ▶ December 20, 2021: The first phase of distributions related to approved physical injury claimants begins.
- ▶ January 5, 2022: Second phase of distributions related to individual death claims will be processed.
- ▶ February 28, 2022: Deadline for submission of Claim Forms.
- ▶ February 18 – February 25, 2022: All personal meetings requested with Fund Administrator should be completed.
- ▶ February 18 – March 5, 2022: All claims reviewed by the UWCF Committee and recommendations for payments to eligible claimants submitted to the Waukesha County Community Foundation for final approval.
- ▶ March 8, 2022: Payment Distribution to approved claimants begins on a rolling basis.
- ▶ After March 15, 2022: Independent Review by Independent Auditors begins.
- ▶ Additional payments may be made for those individuals who have provided documentation of long-term care and have been reviewed and approved for additional compensation by the UWCF Committee.