

December 13, 2022

Mark D. Stiles,
City Attorney City Attorney's Office
2401 Courthouse Drive Building 1,
Room 2098 Virginia Beach, VA 23456

Dear Mr. Stiles:

I am filing a claim for medical reimbursement for my wife, **Ava E. Fox**, (Beth) who tripped and fell on the VB boardwalk last Thursday, **Dec.8** at approximately 4:45 PM. We have been residents and home owners in VB for many years. We live in the Lake Christopher community in Kempsville.

Our address is 5208 Canoe Landing, VB, VA. 23464 My wife's cell is 757-377-6282. My Cell: 757-802-1423. My email is bobfox47@gmail.com Here's is bethfox47@gmail.com

As we walked in front of the **Coastal Hotel** where we had just checked in for a night get-away, a police car came down the boardwalk telling everyone to vacate the boardwalk since cars were about to enter the show of Christmas lights on the boardwalk.

My 75 year-old, overly compliant wife, rushed to exit the boardwalk via a sandy path in the small bushes while I walked to the paved path exit just ahead. This location was below and just to the right of our room on the 10th floor of the hotel. The small path was about 10' from the paved sidewalk exit from the boardwalk.

In the darkened twilight, her foot caught on an almost invisible guide-wire holding up the lighted arches. She fell hard, face down on the sidewalk pavement, the impact force increasing because the sandy path she took was sloped downhill.

When I turned to see her, I was horrified to see her on the ground, fully prone on her back with her face covered by her hands. I screamed "NO". She had just recovered from full reverse shoulder replacement surgery after a fall last May.

Her face was bloody on the right side from a gash above her right eye as I brushed away the wood chips and dirt off her eyes and mouth. She was in a lot of pain and shock. Her chest and arms hurt. Gloves and hat had cushioned her fall somewhat. The **police officer** in the car that had told us to leave the boardwalk came over to see how she was. I assume he saw her fall.

He called the EMT crews the nearby firestation. He was very kind and stayed with us until help arrived. I wish I had gotten his name to thank him but I was in shock also.

Just then, **a jogger came** by and offered to help. He was a big, strong black guy with a kind heart who also happened to be a fireman in a VB station. I think he said it was the fourth station. With my phone light, he checked Beth's eyes for signs of a concussion and reported that she looked OK.

Four firestation EMT folks arrived and checked Beth out a little and recommended that we go to the hospital in an ambulance. We declined since the back firestation jogger had already said he did not think she had a concussion. We also wanted to finish our night at the hotel.

On our way back to the hotel room, another **nice man came along in his golf car.**, he was apparently working on the light display. He was also black. I include his skin color (the and the jogger's) just for the purpose of identification. I am very grateful to both of them for their help.

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This young man asked us to describe the incident in detail. We showed him the hidden wire that tripped Beth. It was in the bush and the **ribbon on it was low and behind the bush**. The other ribbons on that wire were so far back that you would not know it led to the place where Beth tripped. He saw the problem and **said he would move that wire** to another location. I thanked him because at least our painful mishap might protect someone else.

Upon reaching our room, we saw in the bathroom lights that her skin was split deeply for about **30 cm** above her right eye and would require sutures. The hotel was kind enough to refund our money so we could spend the rest of the night getting medical attention. We cleaned the wound and headed for a Patient First where a doctor friend said he would stitch her up carefully to avoid scarring. He sewed up the wound and took x-rays of her head which showed **a possible small fracture above her eye**. We finally arrived home at 10:30.

A couple of days later, Beth noticed that the **pupil in her right eye** was not the same size as her left eye—a sign of possible concussion. Nor would the pupil of the right eye react to light as the left one did as I examined her eyes with a light. She also noticed **numbness of several teeth** on the right side of her face.

On Monday, Dec 12, Beth had two CT scans on her head at **Sentara Leigh** to check for internal head bleeds. None was found, thanks God. She will see her **ophthalmologist** tomorrow to check her eye more closely. She will consult with her dentist later about the numb teeth.

For all these reasons, we would like to file a claim with the City of VB to recover the medical costs arising from this accident. Unfortunately, this could have been prevented simply by better placement and markings on that wire.

I assume that the medical bills will trickle in for the next month or two. We will send them to you when you give instructions for that.

I have enclosed some media that you can access using the **QR code** below. I know that is probably odd to hear from a 75 year old guy but I spent years working with computers.

Thanks for your help with this and Merry Christmas to you and your family!

Sincerely,

Bob Fox
Husband of the Accident Victim

Supporting Media in this QR code:

