

SKIVER | BRADLEY

— TRIAL LAWYERS —

Ryan Skiver
Kellen Bradley
3943 East Whitton Avenue
Phoenix, Arizona 85018

rskiver@skiverbradley.com
kbradley@skiverbradley.com
Telephone: (480) 626-1667
Facsimile: (480) 482-7285

April 21, 2026

Via Private Process Service Pursuant to Rule 4.1:

Office of the City Clerk, City of Tucson 255
W. Alameda Street
Tucson, Arizona 85701

Office of the City Attorney, City of Tucson
255 W. Alameda Street, 7th Floor
Tucson, Arizona 85701

Office of the City Manager, City of Tucson
255 W. Alameda Street, 10th Floor
Tucson, Arizona 85701

NOTICE OF CLAIM

RE: Claimants:

Joshua Troetel and Shannon Troetel, individually and as natural parents of Sophia Akimi Troetel, and on behalf of the Estate of Sophia Akimi Troetel (no probate; no Personal Representative appointed);

Andrea Hope Santos and Leo Santos, Jr., individually and as natural parents of Josiah Patrick Santos, and on behalf of the Estate of Josiah Patrick Santos (no probate; no Personal Representative appointed); and

Carlos Castillo and Rosa Mendoza, individually and as natural parents of Katya Rosaura Castillo-Mendoza, and on behalf of the Estate of Katya Rosaura Castillo-Mendoza (no probate; no Personal Representative appointed).

Location: Triple Fatal Pedestrian Collision at the Intersection of North Euclid Avenue and East Second Street, Tucson, Arizona

Loss Date: October 30, 2025

Dear City of Tucson:

On behalf of the Estates and Families of Sophia Akimi Troetel, Josiah Patrick Santos, and Katya Rosaura Castillo-Mendoza, we submit this Notice of Claim under A.R.S. § 12-821.01(A) against the City of Tucson.¹ All accompanying and attached documents are hereby incorporated into this notice as though they were fully set forth herein.

I. INTRODUCTION TO SOPHIA AKIMI TROETEL, JOSIAH PATRICK SANTOS, AND KATYA ROSAURA CASTILLO-MENDOZA—KILLED BECAUSE OF THE CITY’S NEGLIGENCE

On October 30, 2025, Sophia, Josiah, and Katya were all killed when crossing Euclid Avenue at 2nd Street in Tucson, Arizona. Each of the deceased had a promising future, only to have it destroyed on that fateful evening.

This Notice is brought by the statutory beneficiaries of each of the three decedents and on behalf of the Estates of each of the three decedents.

Claimant I: The Estate and Family of Sophia Akimi Troetel. Sophia was 21 years old when she was killed. She was born October 12, 2004, in New York, New York. Sophia maintained a perfect 4.0 grade point average while pursuing double major in Spanish and Psychology, student employee at the University of Arizona who earned Dean’s List with Distinction. “Sophia and Josiah were at the Dean’s List reception—arm in arm, smiles wide, glowing with pride and love. Her Dean’s List honor was more than an achievement—it was a reflection of her brilliance, her effort, her heart. Sophia treats every soul with respect, compassion, and care. To know her is to be changed by her,” said University of Arizona Department of Spanish advisor Rae LaBar Palmer. Academic Advisor Vanessa Valenzuela said Sophia was “a sweetheart and full of light. She had a way of brightening every room she entered with her kindness, laughter, and warmth.” The Sophia Troetel First Responder Memorial Scholarship began Spring 2026 in Sophia’s honor. Sophia was on track to graduate in May 2026. She was not simply a student passing through Tucson. She had already invested herself deeply in the University and the broader community. Sophia

¹ A.R.S. § 12-821.01 requires this Notice of Claim to include information that may exceed the information that is in Claimants’ possession, custody, and control at this time. The information provided here is based on the investigation to date acquired by reasonable inquiry to date, together with reasonable inferences from this information. As a natural result, this Notice of Claim may not contain all facts that would become available through formal discovery during litigation. An investigation of the matter remains ongoing, and new information may alter or amend the information contained herein. Claimants reserve the right to change or amend this Notice of Claim. This Notice of Claim is not intended to be Claimant’s statement or admission. Should any portion of this Notice be introduced in evidence, this paragraph should also be read to the trier of fact.

served as the general manager of KAMP Student Radio, a leadership role reflecting the trust, responsibility, and respect she had earned among her peers. She was remembered by those who knew her for her kindness, compassion, and the depth of her relationships within the University community.



Sophia’s impact extended beyond campus. She also volunteered with the Pima County Attorney’s Office victim services division, dedicating her time to helping others during



moments of trauma and loss. Public remembrances after her death reflected that her loss was felt not only by her family and close friends, but across the University of Arizona and Tucson communities more broadly. Hundreds of students and community members gathered to mourn her, and speakers described her as vibrant, generous, thoughtful, and deeply loved. Her death therefore caused not only profound personal loss to her family and loved ones, but also the loss of a young woman who had already begun contributing meaningfully to the civic and institutional life of Tucson.

Sophia lived in Tucson, Arizona. Sophia is survived by her parents Joshua Troetel (father) and Shannon Akimi Troetel (mother) as well as her sister (Anna), who reside in New York, NY. At the time of the collision, Sophia was the significant other of Josiah and a dear friend of Katya.



Claimant 2: The Estate and Family of Josiah Patrick Santos.

Josiah Patrick Santos

JosiahPatrick Santos was a remarkable 22-year-old whose

life radiated brilliance, kindness, and momentum, a young man who, in his mother’s words, “lived life to the fullest.” He grew up deeply bonded to his mother, Andrea Santos (“Hope”), who describes him as “the love of my life” and “my baby.”



Hope and her baby boy, Josiah

As Josiah grew, that deep bond at home was matched by extraordinary achievement outside of it. A 2022 salutatorian of Flowing Wells High School, he excelled in academics, music, theatre, and leadership. At the University of Arizona, he was a senior majoring in Theatre with a minor in Japanese, carrying a 3.7 GPA while filling his days and nights with rehearsals, writing, classes, and work. A gifted multi-instrumentalist



Meow or Never

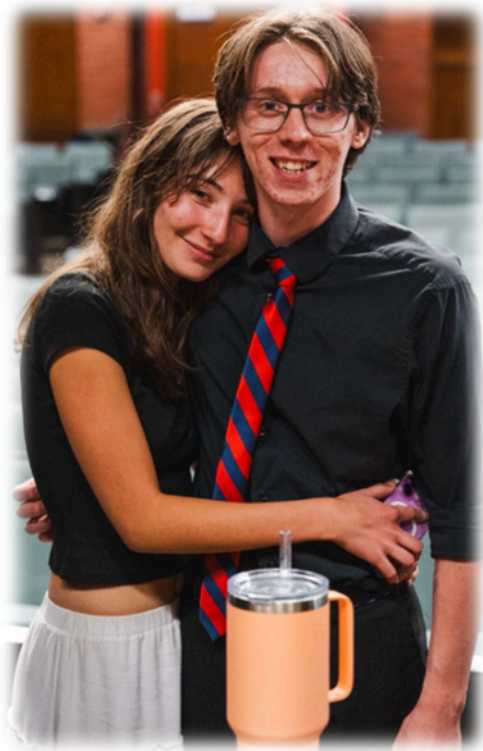
and vocalist, he performed tenor voice, piano, flute (including Native American flute and piccolo), and saxophone. He wrote plays, including three completed works at UA, and led peers as music director of the a cappella group Meow or Never.

His talents also extended into Tucson's theatre community. Since the summer of 2023, he had been cast in *Anastasia*, *Catch Me If You Can*, *The Best Little Whorehouse in Texas*, and *Fiddler on the Roof*, where his performance as Motel the Tailor drew praise for a "Miracle of Miracles" that lit up the room. In September 2025, he earned the role of Specs in ArtsExpress Theatre's upcoming *Newsies*.



With accomplishments already stacking behind him, Josiah was equally focused on the future. He planned on pursuing a Ph.D. and then moving to Chicago after graduation to build stage credits and, ultimately, earn his place on Broadway. He supported himself through school as a server at Westward Look Wyndham Resort & Spa, where colleagues remembered the young man who would sing and dance his way through a shift, infusing even the most ordinary moments with joy. His mother's shorthand for that relentless energy became the family refrain: "he never stopped."

That same energy poured into the people he loved most. Family was central to who Josiah was. He is survived by his mother, Hope, his father, Leo Santos Jr., and a close-knit group of siblings—Leo James, Sarah, Mathia, Rey, and Isaac—each now navigating shock, grief, and the painful “what ifs” that follow an unimaginable loss. They called themselves the “Santos Crew,” with Josiah as the beating heart. Their family ethos, “you always help,” was more than a phrase. Josiah lived it consistently, stopping to help anyone in trouble because it was simply how he was raised.



As his world expanded, so did the love he shared. Josiah and Sophia Akimi Troetel were in a committed, loving relationship, planning a future together with a maturity far beyond their years. He had been ring shopping and planned to take Sophia to Prescott, where he was born, “to show her where his life started” before asking her to marry him. His mother described them as inseparable. They “dated for love,” and Sophia “brought out the best in him.”

Even the most ordinary parts of Josiah’s life reflected how extraordinary he was. He balanced a demanding schedule that included early mornings, late night rehearsals, costuming and backstage assignments, ushering at Centennial Hall, and numerous campus performance commitments, yet he still found time to write, arrange, and lift others. He devoured music

across eras, from Moody Blues to Jimi Hendrix. He poured himself into AP and STEM courses in high school. He kept traditions that stitched his people together, from Applebee’s birthday dinners to post-performance IHOP runs with Flowing Wells alumni to late-night Jack in the Box deliveries for friends that ended with Broadway sing-alongs in his mother’s car. The last time Hope saw her son was on October 15, 2025, celebrating Sophia’s 21st

birthday, an ordinary but perfect moment that captured what made their family work: show up, celebrate each other, and keep going. Her last message from him was “I love you.”

After his passing, the community that Josiah helped build began working to preserve his legacy. Arts Express Theatre created the Josiah Santos Memorial Education Fund to honor his passion for the arts, his belief in storytelling’s power to change lives, and the compassion he brought to every rehearsal room. The fund celebrates his “boundless creativity,

compassion, and dedication to theatre” and ensures that his generosity and artistic spirit will continue opening doors for aspiring performers, particularly students

from Flowing Wells High School. His family asked to “plant seeds for his legacy to live on in our community,” so that what Josiah built with his

talent, empathy, and creativity continues to grow in other young artists.



In the end, Josiah’s death did not simply interrupt a promising career. It shattered a family’s center of gravity and silenced a voice that had brought light to classmates, castmates, siblings, and his mother, who is now left without the son who was, in her words, her everything. He was the student who made professors smile, the colleague who lifted the room, and the son who called for a late-night ride and then serenaded the car home. His loss leaves a silence where joy once lived, and a promise of a future that the world will never have the chance to see fulfilled.

Hope and Leo Santos intend to pursue all remedies available under the law, as set forth in this Notice of Claim, to recover damages they have suffered as a result of the loss of their son, including the profound emotional, physical, and other harm caused by his tragic death.

Claimant 3: The Estate and Family of Katya Rosaura Castillo-Mendoza. Katya was a 21-year-old student at the University of Arizona when she passed away, a life cut short while studying at the University of Arizona with ambitions to be a real estate lawyer. Katya earned the Top Multicultural Scholar of the Year award by the University of Arizona, Eller College of Management. Katya was an ambitious, gracious, and compassionate daughter, sister, friend, and classmate. She was a motivated, brilliant young woman with dreams that were taken away from her. During her time at the University, she became a valued member in the Latino Lawyers community where she was known for always bringing joy into the room and having fierce dedication to their cause. Katya dreamed of making a difference in the world someday and inspired others to do the same. She consistently participated in Eller Make a Difference Day as a volunteer.



Katya's untimely passing has devastated her family, including her mom Rosa Mendoza, her dad Carlos Castillo and her sister Allison Mendoza-Castillo, who are left with an unfillable hole in their lives.



Sophia and Josiah were pronounced dead at the scene on October 30, 2025. Sophia's death certificate [REDACTED] lists the immediate cause of death as blunt force injuries. Katya was transported from the scene with life-threatening injuries and was subsequently pronounced deceased at approximately 2200 hours on October 31, 2025. Her passing was confirmed to the University of Arizona Police Department on November 1, 2025. Katya was rushed to the hospital from the collision scene and was placed by doctors in a medically induced coma only to succumb to her injuries the next day, which resulted in medical expenses claimed, incorporated in the sum certain amount to resolve this claim.

This Notice of Claim is directed to the City of Tucson (hereinafter "the City" or "City"), a body politic, regarding the City's negligent installation, design, maintenance, management, operation, and control of the intersection of North Euclid Avenue and East Second Street in Tucson, Arizona (hereinafter "the Subject Intersection"). The City created, maintained, and perpetuated an unreasonably dangerous pedestrian crossing condition at that location despite repeated notice of the danger and despite having already selected and designed a signalized remedy. The City's negligence directly and proximately contributed to the

deaths of Sophia Troetel, Josiah Santos, and Katya Castillo-Mendoza on October 30–31, 2025.

II.

FACTUAL BACKGROUND OF THE INTERSECTION

By November 2022, the City had actual notice that Euclid/2nd was dangerous, and by 2023 it had selected and designed a signalized remedy

These claims against the City arise from the City’s negligent installation, design, maintenance, management, operation, and control of the intersection at Euclid and 2nd Street in Tucson (the “Intersection”). Indeed, the City’s own records show a progression from general pedestrian-safety planning, to direct intersection-specific complaints and ranking, to design of a signalized bicycle-and-pedestrian crossing, to continued maintenance of the uncontrolled marked-crosswalk configuration despite the known danger. The City had actual notice of the hazard, affirmatively maintained the existing condition, and failed to timely install either the chosen permanent remedy or meaningful interim protections.

In 2021, the City issued the Move Tucson plan. This is the City’s “transportation master plan” that “prioritizes taking care of the city that Tucson is while investing in the city that Tucsonans want to see.” (A copy of the Move Tucson plan is found at https://assets.tucsonaz.gov/share/transportation/movetucson/Plan_Fall2021.pdf, at p. 5). The Move Tucson plan states that it is “grounded in analysis and community input.” (*Id.*) Additionally it affirms that it “must prioritize safety in the transportation network, with a focus on increasing safe travel opportunities for people bicycling and walking.” (*Id.* at p. 6).

One of the “Safety Projects and Programs” identified in the plan includes “localized projects to improve safety, including crossing improvements,” and specifically identifies “High Intensity Activated Crosswalk (HAWK) signals” as one of the tools to accomplish that safety improvement. (*Id.* at p. 65). The plan acknowledges that there is a significant safety gap for pedestrian travel, identifying the number of roadways that lack safe crossing opportunities:

WALKING ANALYSIS

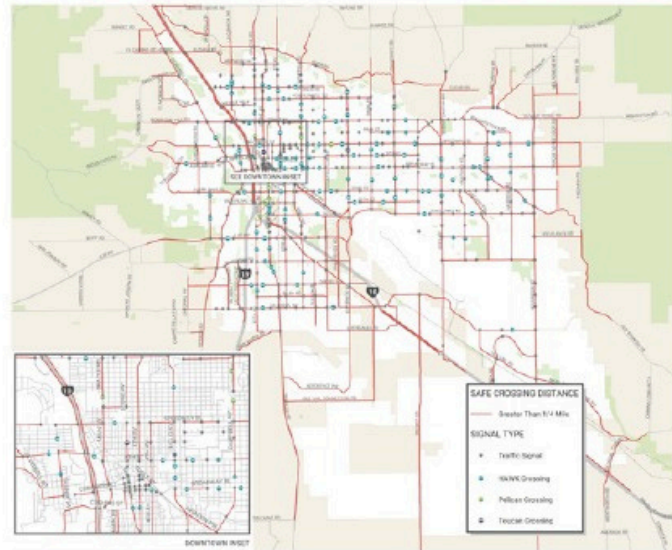
Traffic signals and crossing signals support safe pedestrian crossings throughout Tucson. Despite over 120 HAWK, Pelican, and Toucan crossing signals in place today, distances between protected crossings are insufficient to meet pedestrian travel needs on Tucson's major streets.

92%

of Tucson's major roadways have greater than ¼ mile between safer crossing opportunities

71%

of Tucson's major roadways have greater than ½ mile between safer crossing opportunities.



(*Id.* at p. 214).

The Move Tucson plan is useful background because it confirms the City's awareness of pedestrian-safety gaps, its use of HAWK requests and prioritization lists, and its stated intent to fund high-ranked locations when discretionary funds become available. That background matters here because Euclid/2nd was later identified through that process and the City then received direct, intersection-specific notice regarding the danger at this crossing.

RANK	LOCATION	CROSS STREET	FUNDED
1	E Grant Rd	N Edith Bl	YES
2	N 1st Av	E Pastime Rd	NO
3	Fort Lowell Rd	Castro St	YES
4	E Speedway Bl	N Beverly Av	NO
5	E 22nd St	S Irving Av	YES
6	E Irvington Rd	S Cherry Av	YES
7	E 22nd St	S Belvedere Av	YES
8	N Wilmot Rd	E Brian Kent	NO
9	W Ft Lowell Rd	N Balboa Ave	NO
10	E Speedway Bl	N Grady Av	NO
11	N Wilmot Rd	E Rosewood St	YES
12	N Euclid Av	E 2nd St	NO

By 2023, the City was actively designing a signalized bicycle-and-pedestrian crossing for Euclid/2nd

By late 2022 and 2023, the City was not merely aware of the need for a safety improvement at the Intersection; it was preparing and advancing a signalized project. As part of its exploration of work that could be done using American Rescue Plan Act (ARPA) funding, the City prepared an undated Proposed HAWK List (SDT_RESP_TTM_000351.) identifying HAWK project locations. The Intersection was included on that Proposed List and was the highest “HAWK Ranked” location identified by the City.

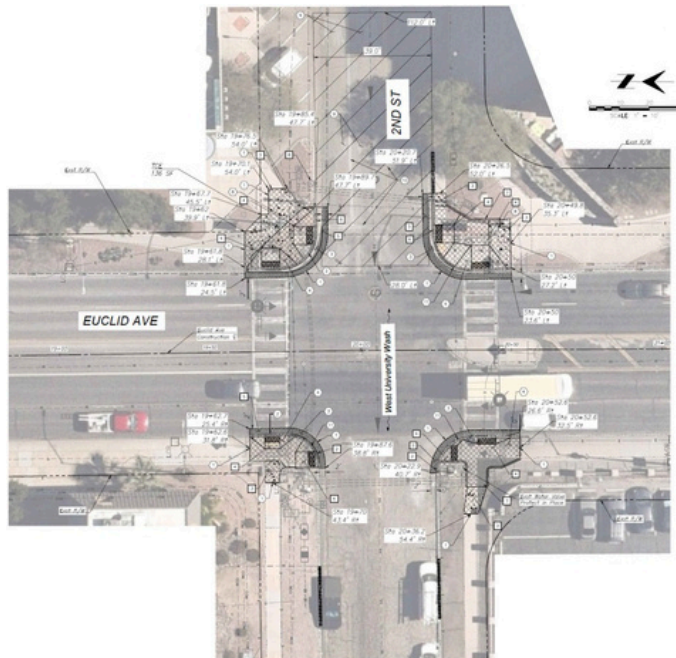
In the August 21, 2023 design kick off meeting, the meeting notes reflect that the participants reviewed a video clip from the Intersection and that “solar-powered signals were discussed. There have been some maintenance issues with current solar-powered signs so solar-powered signals will not be considered for this project, though, it shouldn’t be discarded and is a low priority on the list of ways to save money for the project.”

As the meetings progressed to October 2023, Blake Olofson with the Department of Traffic Maintenance, “support[ed] a concept design [for the Intersection] with two crossings of Euclid Ave, one on both the north side and south side of 2nd St., similar to the existing marked crosswalks.” The memo further “outlined additional features to be added such as blank out signs to prohibit turning movements during actuation of the signals. The design concept does not impact the ornamental street light poles, replaces one street light on the NE corner with one on the signal pole, and allows only WB 2nd St Right Turns onto

Euclid.” The meeting notes from the following month reflect a discussion to “consider adding a median on Euclid and extending the exiting [] median on the south Euclid approach to 2nd St to encourage compliance with left turn restrictions.”

By spring of 2024, the City had established an ARPA Project Framework. (SDT_RESP_TTM_000352.) As to the Intersection, the City’s Framework provides the following status: “90% of plans received. Would be difficult to meet ARPA obligation deadline of 12/30/24 at this point. Would still likely meet ARPA expenditure deadline of 12/20/26.” The document does not explain, however, why a project design, which was 90% completed at that point, would not be ready to secure funding by the end of 2024. Additionally, on the first tab of the document, the City states that the Intersection is not included within the “Priority Package 1” list of HAWK intersections, despite it being the worst location the City included in the proposals. Continuing this worrying trend, Randy Cheney’s (with the Psomas design firm in Tucson) notes from the May 2024 meeting reflect that Intersection was identified as a “project[] to be put on hold.”

In August 2024, it appeared that the Intersection was off “hold” status, but was included in the “Group 2” projects that the City was working on. And in September 2024, the City had secured funding for the Group 2 projects, “allowing for progression of Group 2 construction.” Indeed, the Intersection was included in the City’s August 26, 2024 Approved Proposition 411 Street Safety Improvement Plan as one of a “Package of six HAWK crossings, previously designed using COVID relief funds.” The Proposition 411 Plan states that the Intersection is “planned” and in the “early” construction phase, but that it is a “non-locational” Move Tucson Priority, opposed to the Tier 1 and Tier 2 designations provided to other projects. However, through the rest of 2024 and 2025, the City did not begin construction on the Intersection, despite having signed/sealed plans showing the improvements below:



The City affirmatively maintained and lured pedestrians into the uncontrolled crossing while the designed remedy was delayed

The intersection of North Euclid Avenue and East Second Street is under the jurisdiction, ownership, control, and maintenance of the City of Tucson, acting through its Department of Transportation and Mobility (“DTM”). North Euclid Avenue is a multi-lane arterial roadway that runs north-south along the western boundary of the University of Arizona campus. East Second Street intersects Euclid Avenue and provides access to the Main Gate Garage, a major University of Arizona parking facility.

The University Services Building at 888 North Euclid (adjacent to the Intersection) houses a mix of finance, HR, student-facing, and administrative units including the Office of Public Safety, Human Resources Division, Business Affairs Office, Finance & Budget Administration, Office of Institutional Equity, International Affairs, Bursar’s Office, Arizona Student Media, Arizona Arts Live, and more.

Indeed, the Subject Intersection is situated in the heart of the University of Arizona campus district, which experiences consistent pedestrian traffic from students, faculty, staff, and visitors at virtually all hours. The area surrounding the intersection includes student housing, university facilities, commercial establishments catering to students, and entertainment venues. Pedestrian volumes at the uncontrolled intersection remain high into the evening because of the concentration of nearby bars, restaurants, and social destinations.

Before submitting this Notice of Claim, the claimants sought records concerning the Intersection. Although the City produced thousands of pages, Traffic Engineering stated that it does not possess information regarding the original engineering studies or evaluations performed before installation, or the original design plans, drawings, or specifications for the intersection and crosswalk. (PRR_RESP_CTC_000195.) The City therefore has not produced an original engineering study supporting the uncontrolled marked-crosswalk configuration.

The City's records do show, however, repeated actions undertaken at the Intersection, as set forth below:

- June 6, 2019 – the City performed repairs at the Intersection by re-painting high visibility crosswalks and stop bars.
- November 6, 2021 – the signs at the Intersection were damaged in a motor vehicle collision. The City employee had to cut through the existing telespar supports and install new telespar at the location.
- February 10, 2022 – the Pedestrian Crossing sign was down and the notes state the employee would return to install a new cement base and supports. This work was done through February 16, 2022.
- September 14, 2022 – the City once again had to replace the Pedestrian and Bicycle Crossing signs, replacing the telespar stubs and sleeves.
- April 25, 2023 – the City re-painted the high visibility crosswalk markings with a total of 21 hashmarks.
- November 25, 2023 – the Pedestrian and Bicycle Crossing signs were down again, and the notes reflect the need for replacement and support. This work appears to have carried into January 2024 when the City, again, replaced the telespar and installed a new advisory sign.
- January 16, 2025 – the Pedestrian and Bicycle Crossing sign was damaged and down due to another motor vehicle collision, and the City installed new telespar supports and new signs.
- June 5, 2025 – the City re-painted the two high intensity crosswalk and stop bar markings.

Concerned Tucsonians notified the City of Intersection danger before the crash

City employees were not the only ones to identify problems at the Intersection. The City also received direct constituent complaints and requests for additional protection, including detailed warnings from [REDACTED], a University of Arizona Human Resources employee whose office is located at the corner of Euclid and 2nd and who regularly used the crossings at Euclid/1st and Euclid/2nd. (DECLARATION_000001-000010.)

On October 26, 2022, ██████ initiated contact regarding serious pedestrian-safety concerns at Euclid/1st and Euclid/2nd. (*Id.*) On October 27, 2022, Helen Wheeler in the Director's Office of the City's Transportation & Mobility Department forwarded ██████'s concern so it could be formally logged and reviewed. On November 1, 2022, the City confirmed that the matter had been entered and assigned Case Number 60257. On November 14, 2022, Janet Kerns, Traffic Engineering Technician Supervisor, acknowledged the concern and confirmed that Euclid/2nd had already been evaluated and ranked No. 12 on the City's HAWK priority list, although no funding had then been designated for a HAWK crossing at either location.

██████ then provided the City with specific, intersection-level notice of the danger. She reported inadequate pedestrian lighting at all four corners, especially at night; the tendency of traffic to continue through the crossing even when one vehicle had stopped for a pedestrian; and the absence of traffic-calming measures or signalized protection comparable to nearby crossings. She offered to meet City representatives at the site and show them the conditions firsthand. After the October 30, 2025 fatalities, ██████ renewed those same concerns in writing, referenced her 2022 communications and Case Number 60257, and stated that the infrastructure hazards she had reported had not been corrected in the intervening years. (*Id.*)

In 2023, the City received additional requests that current pedestrian crossing signs be converted to a flashing pedestrian crossing sign or that a HAWK flasher be installed because motorists were not stopping for pedestrian at the crosswalk. The City responded in June 2023 that the Intersection was on the Hawk list, had been ranked, and had been approved through the ARPA proposal, although no installation date was then available. Notice continued. On October 30, 2024, a caller reported that the lightbulb on the street pole at the southwest corner of Euclid and 2nd was broken. On June 5, 2025, another request asked whether a HAWK light could be installed because there had been accidents, there was a lot of traffic, and it was hard for students to get to their residence; the City noted internally that the area was in the design phase. These requests gave the City repeated, pre-collision notice of the need for more than an uncontrolled marked crosswalk.

The City's own policies, manuals, and internal references did not treat an uncontrolled marked crosswalk as a sufficient long-term solution for this type of location. Instead, they warned that marked crosswalks at unsignalized locations can increase risk unless supported by engineering evaluation and additional protective measures.

The City knew from its own standards that a marked crosswalk alone increased pedestrian danger at the Intersection


The City of Tucson Department of Transportation Policy 7.44, titled “Removal of Pedestrian Crosswalk Pavement Markings,” effective March 1, 2014, expressly acknowledges the danger posed by marked cross walks at unsignalized locations. The Policy states that the City “has accumulated many marked crosswalks” and that “many times, these crosswalks were striped without the benefit of an engineering study.” The Policy provides that an “engineering study should be performed before a marked crosswalk is installed at a location away from a traffic control signal or an approach controlled by a STOP or YIELD sign.” Indeed, as the Policy acknowledges, “studies have shown that, in certain situations, pedestrian-related crashes increase with the presence of a marked crosswalk.” To that end, the City adopted a “policy and procedure...to provide guidance for the removal of pedestrian crosswalk pavement marking and signage.”

To determine whether to remove an existing marked crosswalk, the Policy requires the City to perform an engineering study. A crosswalk “will be removed if they are the only traffic control device present.” For locations with a posted speed limit of 40 mph or less, the City “will follow the guidance provided in Table 11 of the Safety Effects of Marked vs. Unmarked Crosswalks at Uncontrolled Locations, published in 2005 by the Federal

Highway Administration (located at <https://www.fhwa.dot.gov/publications/research/safety/04100/04100.pdf>). A draft of Policy 7.44 also contained the following Crosswalk Treatments Guide:

CROSSWALK TREATMENTS GUIDE												
	VEHICLE ADT > 4,000 - 9,000			VEHICLE ADT > 9,000 - 12,000			VEHICLE ADT > 12,000 - 15,000			VEHICLE ADT > 15,000		
	≤30 MPH	35 MPH	40+ MPH	≤30 MPH	35 MPH	40+ MPH	≤30 MPH	35 MPH	40+ MPH	≤30 MPH	35 MPH	40+ MPH
TWO LANES	Blue	Blue	Yellow	Blue	Blue	Yellow	Blue	Blue	Yellow	Blue	Yellow	Yellow
THREE LANES	Blue	Green	Red	Blue	Yellow	Red	Yellow	Yellow	Red	Yellow	Yellow	Red
MULTILANE WITH RAISED MEDIAN	Green	Green	Red	Green	Yellow	Red	Yellow	Yellow	Red	Yellow	Yellow	Red
MULTILANE WITHOUT RAISED MEDIAN	Green	Yellow	Red	Green	Yellow	Red	Yellow	Yellow	Red	Yellow	Yellow	Red

- Marked crosswalk
- Marked crosswalk, island or curb extensions, enhanced signing and striping
- Marked crosswalk and enhanced/active warning (islands and rapid flashing beacons)
- Marked crosswalk and pedestrian hybrid beacon, or full signal



Chapter 4 of the Federal Highway Administration’s Safety Report (identified in the Policy) states that the study performed “revealed that under no condition was the presence of a marked crosswalk alone at an uncontrolled location associated with a significantly lower pedestrian crash rate compared to an unmarked crosswalk.” (p. 51). In fact, “on multilane roads with traffic volumes greater than 12,000 vehicles per day, having a marked crosswalk was associated with a higher pedestrian crash rate...compared to an unmarked crosswalk.” (*Id.*) In fact, on multilane roadways, “more substantial improvements often are needed for safer pedestrian crossings, such as providing raised medians, installing traffic signals (with pedestrian signals) when warranted, implementing speed-reducing measures, and/or other practices.”

In its guidelines for crosswalks, the Safety Report states that “marked crosswalks alone (i.e., without traffic-calming treatments, traffic signals and pedestrian signals when warranted, or other substantial crossing improvement) are insufficient, and should not be used under the following conditions” set forth in Table 11—the very table that Policy 7.44 specifically incorporates and adopts as its guiding standard:

Table 11. Recommendations for installing marked crosswalks and other needed pedestrian improvements at uncontrolled locations.*

Roadway Type (Number of Travel Lanes and Median Type)	Vehicle ADT ≤ 9,000			Vehicle ADT >9,000 to 12,000			Vehicle ADT >12,000–15,000			Vehicle ADT > 15,000		
	Speed Limit**											
	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)	≤ 48.3 km/h (30 mi/h)	56.4 km/h (35 mi/h)	64.4 km/h (40 mi/h)
Two lanes	C	C	P	C	C	P	C	C	N	C	P	N
Three lanes	C	C	P	C	P	P	P	P	N	P	N	N
Multilane (four or more lanes) with raised median***	C	C	P	C	P	N	P	P	N	N	N	N
Multilane (four or more lanes) without raised median	C	P	N	P	P	N	N	N	N	N	N	N

(*Id.* at p. 54). The C, P, and N designations are defined as:

C = Candidate sites for marked crosswalks. Marked crosswalks must be installed carefully and selectively. Before installing new marked crosswalks, an engineering study is needed to determine whether the location is suitable for a marked crosswalk. For an engineering study, a site review may be sufficient at some locations, while a more in-depth study of pedestrian volume, vehicle speed, sight distance, vehicle mix, and other factors may be needed at other sites.

P=Possible increase in pedestrian crash risk may occur if crosswalks are added without other pedestrian facility enhancements. These locations should be closely monitored and enhanced with other pedestrian crossing improvements, if necessary, before adding a marked crosswalk.

N = Marked crosswalks alone are insufficient, since pedestrian crash risk may be increased by providing marked crosswalks alone.

Consider using other treatments, such as traffic-calming treatments, traffic signals with pedestrian signals where warranted, or other substantial crossing improvement to improve crossing safety for pedestrians.

(Id.)

Alarming, the Safety Report specifically addresses the use of pedestrian warning signs at marked crosswalks. It states that the effects of “supplemental signs and other devices” at marked crosswalks are not well known and warns that “pedestrian crossing signs should only be used at locations that are **unusually hazardous.**” (*Id.* at p. 58) (emphasis added). Below are two pictures: the first is a picture of the pedestrian crossing signs warned by the Safety Report and the second is a screen shot of the Euclid/2nd Avenue intersection:



Figure 39. Pedestrian warning signs sometimes are used to supplement crosswalks.



The Intersection has a posted speed limit of 30 mph and no stop light or stop sign at the Intersection. And the Traffic Count Station Data for Location B-79, located on Euclid Avenue just north of 2nd Street, reveals the following annual traffic count totals:

STATION DATA							
Directions: 2-WAY NB SB ?							
AADT ?							
Year	AADT	DHV-30	K %	D %	PA	BC	Src
2025	24,185 ³						Grown from 2024
2024	24,137 ³						Grown from 2023
2023	23,922	1,993	8	56	23,376 (98%)	545 (2%)	
2022	28,401 ³						Grown from 2021
2021	27,790 ³						Grown from 2020

1-5 of 15

AADT ?							
Year	AADT	DHV-30	K %	D %	PA	BC	Src
2020	25,036 ³						Grown from 2019
2019	27,184 ³						Grown from 2018
2018	27,157	2,229	8	56			
2017	24,609 ³						Grown from 2016
2016	23,777 ³						Grown from 2015

6-10 of 15

AADT ?							
Year	AADT	DHV-30	K %	D %	PA	BC	Src
2015	23,265	2,235	10	52			
2014	28,869 ³						Grown from 2013
2013	28,331 ³						Grown from 2012
2012	26,652 ³						Grown from 2011
2011	26,546	2,239	8	60			

11-15 of 15

This data is obtained by taking a 24-hour volume count multiplied by an applicable month/day seasonal factor and an applicable axle-correction factor. Thus, the AADT totals above are very near the daily vehicle counts for the Intersection.

Thus, under the Safety Report that the City specifically referenced in Policy 7.44, because the Intersection is a multi-lane roadway without a raised median and with vehicle counts greater than 15,000, a “marked crosswalk alone [is] insufficient.” (*Id.* at p. 54). The draft report diagram similarly identifies the need for a marked crosswalk with enhanced or active warning. The uncontrolled crossing at Euclid/2nd did not satisfy those standards.

The 2014 Pima Association of Governments Regional Pedestrian Plan, adopted in December 2014, provides the following information regarding crosswalks. Like the Safety Report and Policy 7.44, the PIMA Plan states that “marking a crosswalk, without other controls or measures, does not improve pedestrian safety. In some circumstances, marked crosswalks can actually result in less safe crossing conditions.” (PIMA Plan, p. 79, located at <https://pagregion.com/wp-content/docs/pag/2020/08/PedPlan2014.pdf>). Indeed, the Plan states that on “roadways with over 12,000 ADT...marked crosswalks with no other safety treatments are less safe than unmarked crosswalks.” (*Id.* at 82).

Because marking a crosswalk alone does not improve pedestrian safety, the Pima Regional Pedestrian Plan identifies additional countermeasures that can be combined with crosswalks to make crossings safer (*Id.* at 79–80). One such improvement is the Rectangular Rapid Flash Beacons (“RRFB”), a higher-visibility option that uses flashing LED beacons in combination with a pedestrian warning sign and high-visibility painted crosswalk. The Plan states that RRFBs improved driver stopping compliance at crosswalks in the average range of 44 percent to 77 percent.

A simple Google search confirmed that a pair of Solar Horizontal Rapid Flashing Beacon System with Push Button Activation, which includes a 30” pedestrian crosswalk sign and an angled 18”x30” arrow only costs approximately \$4,000 (located at <https://ledlighting-solutions.com/solar-horizontal-rapid-flashing-beacon-system-back-to-back-with-push-button-activation.html>):



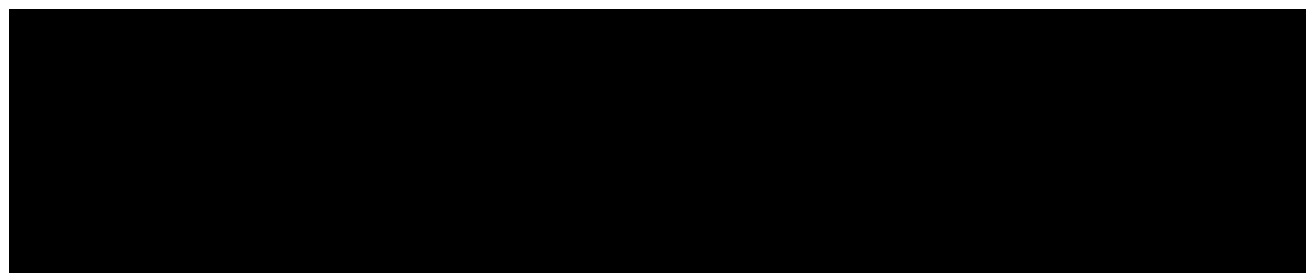
The collision kills Sophia, Josiah, and Katya

On the evening of October 30, 2025, at approximately 2300 hours (11:00 p.m.), Sophia Troetel, Josiah Santos, and Katya Castillo-Mendoza were lawfully crossing North Euclid Avenue in the eastbound direction within the marked crosswalk at East 2nd Street. This crosswalk is located on the east side of the Main Gate Garage (815 North Euclid Avenue), immediately adjacent to the University of Arizona campus—one of the most heavily trafficked pedestrian corridors in the Tucson metropolitan area.

At that time, a 2019 Porsche Boxster driven by Louis John Artal, a 19-year-old University of Arizona student, was traveling northbound on Euclid Avenue approaching the Intersection at speeds reportedly exceeding the posted 30 miles per hour speed limit. Artal failed to yield to the three pedestrians lawfully occupying the marked crosswalk, struck all three victims, and fled the scene to his nearby apartment.

The University of Arizona Police Department (UAPD), under Incident Number [REDACTED] documented the following upon arrival:

Officer Michael Guthrie (#U2009), the primary reporting officer, arrived to find Sophia Troetel lying in the roadway with severe injuries [REDACTED]. An unidentified passerby was already performing CPR on her. Officer Guthrie took over CPR efforts. Two other victims were located to the south in the roadway, also receiving CPR from bystanders. Despite the immediate and sustained life-saving efforts of bystanders, UAPD officers, and Tucson Fire Department personnel, Sophia Troetel was pronounced deceased at approximately 2307 hours and Josiah Santos was pronounced deceased at approximately 2314 hours.



Katya Castillo-Mendoza was transported from the scene with life-threatening injuries. She was subsequently pronounced deceased at approximately 2200 hours on October 31, 2025.

The suspect vehicle was identified through the Flock Safety license plate reader system. Detective John Guetersloh (#U1809) reviewed camera footage from the East First Street cameras and identified a single black convertible captured driving eastbound at 22:57:06 hours bearing California license plate “ARTAL,” which returned to a 2019 Porsche registered to John Louis Artal. Louis Artal subsequently turned himself in at the Tucson

Police Department Main Station (270 South Stone Avenue), stating he had been involved in a collision in which he struck three people.

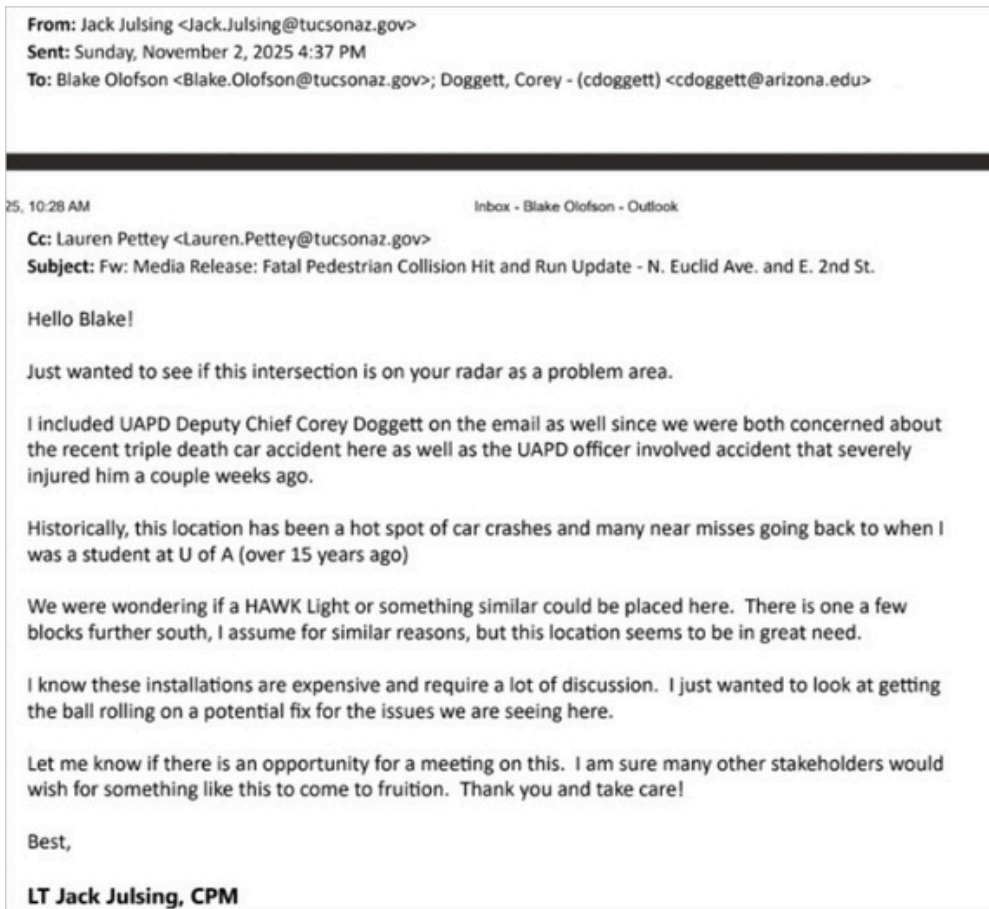
Notably, the Main Gate parking garage security cameras, which covered portions of East First Street and East Second Street, were reportedly not functioning at the time of the collision. UAPD dispatch confirmed the cameras had stopped working at approximately 1900 hours that evening, and a technician from the camera company (Amer-X) confirmed no footage was recorded.

Artal was arrested and charged by TPD with three counts of manslaughter and one count of leaving the scene of an accident involving death (TPD Case No. P2510300215).

The City's post-collision response proves that interim and permanent protective measures were feasible and immediately available

In the aftermath of the fatal collision, the City received urgent questions from the University of Arizona, Tucson residents, and the public about the Intersection. The City's internal response is telling: within days, City personnel reviewed signage and striping, assessed lighting, considered flashing amber beacons, and discussed expediting the already-designed signalized crossing.

That the danger at Euclid/2nd was longstanding and not a newly discovered problem was confirmed again in post-loss communications from other public-safety stakeholders, including an email from Lieutenant Jack Julsing of the Tucson Police Department who wrote:



In an email to City personnel shortly after the collision, Tucson Police Lieutenant Jack Julsing stated that the intersection had historically been “a hot spot of car crashes and many near misses” going back to when he was a student at the University of Arizona more than fifteen years earlier. He further noted concern from both himself and UAPD Deputy Chief Corey Doggett and asked whether a HAWK light or similar protection could be installed there. Although this email was sent after the crash, it is significant because it corroborates that the dangerous character of this location was longstanding, widely recognized, and a recurring problem the City should have identified and addressed before October 30, 2025.

On October 31, 2025 (the day after the crash), Andy Bemis, Deputy Director of the City’s Department of Transportation and Mobility, immediately requested a status update on the BikeHAWK design at the Subject Intersection and noted that the right-turn-only signs for eastbound 2nd Street approaching Euclid were missing, requesting a review of all signage and striping to identify deficiencies. (PRR_RESP_CTC_000353-000431.)

During this process, on November 3, 2025, Blake Olofson wrote that “Traffic Engr (sic) are currently field reviewing the intersection. Possible interim mitigation:

- Refresh all signs and markings

- Inspect all street lighting in vicinity for functionality
- Consider flashing amber beacons.”

Blake wrote that “I think we can get the interim items done by early next week if the sign and paint shop can expedite.” A mere four days later, Diane Lloyd wrote an email that, “per [Gregory Orsini’s] request, I have entered tasks for three Flashing Amber Beacons to be installed at N Euclid Ave and E 2nd Street.”

On November 3, 2025, Sam Credio of DTM urgently requested information from Rick Harris and others, noting that the City Manager’s office was asking for information to respond to public inquiries about the triple fatality. Credio specifically asked about the potential to expedite construction, stating that the community was eager to see the improvements made as quickly as possible.

On November 4, 2025, Gregory Orsini (from the City of Tucson Department of Transportation & Mobility) responded to Eileen Lawless that a signalized bicycle and pedestrian crossing was going to be constructed at Euclid/2nd in the near term. The City’s statement said future improvements had been in the planning phase since 2023, that project plans were complete, that construction should begin that calendar year with expected completion in spring 2026, and that interim improvements would begin immediately, including refreshing signs and striping, inspecting street lighting, and considering flashing amber beacons. **(DECLARATION_000001-000010.)**

Additionally, Blake sent an email on December 2 discussing both the Intersection and the nearby intersection of Euclid and 1st St. Blake wondered whether “as part of the work at 2nd and Euclid, would it be possible to remove the existing uncontrolled marked crosswalk at 1st and Euclid? It would be ideal if this work occurred shortly after the signal is turned on.” **(PRR_RESP_CTC_000353-000431.)** Blake continues:

“Work would include:

- Grind off existing crosswalk pavement markings
- Fog seal area of removal
- Remove existing STOP FOR PEDS sign on SW corner mounted on decorative light pole
- Remove existing STOP FOR PEDS sign on SE corner. Leave sign support in place
- Install NO PEDS, USE CROSSWALK (ARROW) on both sides of the street indicating use of the new signal
- Use existing support on SE corner for new signs.”

Blake estimated the cost to be \$5,000.

III. THE CITY'S CONDUCT SUPPORTS LIABILITY BECAUSE IT HAD NOTICE, AFFIRMATIVELY MAINTAINED THE DANGEROUS CONFIGURATION, AND DELAYED A CHOSEN REMEDY

The City's own documents show that it knew the existing Euclid/2nd configuration presented a danger to pedestrians. The City had already evaluated the location, ranked it on its HAWK list, received direct complaints about pedestrian danger, lighting and driver behavior, and then selected, designed, and funded a signalized bicycle-and-pedestrian crossing with turn restrictions and separated crossing paths. That sequence is strong evidence of actual notice and of the City's recognition that the uncontrolled marked-crosswalk configuration required more protection.

The City's internal standards also reinforce notice. The City affirmatively admitted it never performed an engineering study. Moreover, Traffic Engineering did not produce and states it does not possess the original installation date, original engineering studies or evaluations, or original design plans for the crosswalk, while Policy 7.44 and the FHWA guidance it references treat engineering evaluation as important for marked crosswalks at unsignalized locations. The City nevertheless continued to maintain this uncontrolled crossing.

The City also affirmatively maintained and reinforced pedestrian use of the crossing after receiving notice of the danger. It repeatedly re-painted the high-visibility crosswalk and stop bars and repeatedly replaced pedestrian and bicycle crossing signs. Each maintenance cycle reaffirmed the City's choice to keep the uncontrolled marked-crosswalk configuration in place while the City delayed the signalized remedy it had already begun to design. Every time the City marked and maintained the uncontrolled crossing, it increased the false sense of security for pedestrians lured into the dangerous crossing—and the City's own policies (Policy 7.44) show the City knew it was increasing that danger.

The City's post-collision treatment of nearby Euclid/1st is relevant not because it proves negligence by itself, but because it shows that City personnel were actively evaluating whether uncontrolled marked crossings in this corridor should remain once a signalized facility was installed. That discussion underscores the City's recognition that marked-crosswalk treatment alone was not the end point of a safe design.

In 2023, the Court of Appeals addressed Policy 7.44 in *Campion v. City of Tucson*, in which Anna Mentzer and her son Ethan were struck and killed by a car while using a crosswalk in Tucson in 2017. *Campion v. City of Tucson*, 256 Ariz. 256, 261, ¶ 2 (App. 2023). The plaintiffs alleged the City acted negligently when it replaced a monitored school crosswalk with an unmanned pedestrian crosswalk and maintained it as such. They claimed the City

failed to perform a traffic study before the replacement, and the resulting change created an unreasonably dangerous condition. *Id.*

The plaintiffs raised a variety of issues on appeal, including how the trial court addressed evidentiary issues related to Policy 7.44. *Id.* at 265, ¶ 27. While the Court of Appeals ultimately held that the trial court did not err in excluding Policy 7.44 because the Policy was adopted 10 years *after* the crosswalk change implemented by the City, the *Campion* case put the City on notice of the application of the Policy to unguarded crosswalks. Indeed, the Court of Appeals explained that the Policy states that crosswalks that do not comply with the “standards it sets forth will be removed at such time in which the roadway surface is scheduled to be removed and replaced.” *Id.* at 266–67, ¶ 28. Additionally, the Court of Appeals found that the study underlying Policy 7.44 confirmed that the crosswalk at issue “posed an increased safety risk.” *Id.* at 267, ¶ 29. And one of the City’s witnesses confirmed that the City has a “practice of remov[ing] non-candidate locations consistent with resurfacing.” *Id.* at ¶ 30. The City’s recent litigation involving Policy 7.44 has certainly put the City on notice of the danger that its non-compliant crosswalks, like those at the

Intersection, pose to pedestrians. *See Quiroz v. ALCOA Inc.*, 243 Ariz. 560, 564, ¶ 9 (2018) (foreseeability can “be used to determine whether the defendant breached the relevant standard of care or caused the plaintiff’s injury”).

The City may argue that long lead times, funding constraints, or design issues delayed construction. But those points do not answer the central negligence question: after actual notice and while design of the permanent remedy was underway, what reasonable interim protections did the City put in place at Euclid/2nd before October 30, 2025? The post-collision record shows that refreshing signs and striping, inspecting lighting, considering flashing amber beacons, and expediting the signal project were all feasible measures. The problem is that those efforts were undertaken only after Sophia, Josiah, and Katya were killed.²

The City owed a duty of reasonable care to pedestrians using the Subject Intersection, including Sophia Troetel, Josiah Santos, and Katya Castillo-Mendoza. The City breached this duty in the following non-exclusive ways:

- Maintaining an unsignalized marked crosswalk across a high-speed, high-volume multi-lane arterial roadway in one of the most heavily trafficked pedestrian areas in

²“When measures are taken that would have made an earlier injury or harm less likely to occur,” the court may admit evidence of the subsequent measures to prove “the feasibility of precautionary measures.” *See* Ariz. R. Evid. 407; *Johnson v. State, Dept. of Transp.*, 224 Ariz. 554 (2010); *Sanchez v. City of Tucson*, 191 Ariz. 128 (1998).

Tucson without adequate traffic control devices, lighting, signalization, or active pedestrian warning systems;

- Choosing not to timely install the signalized bicycle-and-pedestrian crossing, turn restrictions, and separated crossing paths the City had already selected and designed for the Subject Intersection;
- Choosing not to implement even interim safety measures (such as flashing amber beacons, enhanced signage, or temporary speed reduction measures) at a known high-risk intersection while the permanent signalization project remained stalled in the planning phase;
- Choosing not to ensure that the uncontrolled marked-crosswalk configuration was supported by an engineering study, where the City has produced none and Traffic Engineering states it does not possess the original engineering studies or design plans;
- Choosing not to ensure that signage at the intersection was complete and adequate— as evidenced by the City’s own Deputy Director noting that right-turn-only signs for eastbound 2nd Street approaching Euclid were missing on the day after the collision;
- Choosing not to provide adequate lighting, speed reduction infrastructure, or other measures to protect pedestrians at an intersection known to experience high volumes of nighttime pedestrian traffic adjacent to entertainment and commercial establishments;
- Choosing not to timely construct safety improvements that had been designed, funded, and planned for construction during the 2024–2025 period, as documented in the Proposition 411 Street Safety Improvement Plan;
- Creating a false sense of security for pedestrians by maintaining marked crosswalk paint and signage without providing the signalization or active warning systems necessary to actually protect pedestrians crossing a multi-lane arterial road.

While Louis Artal’s impaired driving, speeding, and failure to yield to pedestrians were direct causes of the collision, the City’s negligence in designing, maintaining, and failing to improve the Subject Intersection was a concurrent and independent proximate cause of the deaths. A signalized crossing or other meaningful interim measures would have materially reduced the risk of exactly this kind of nighttime pedestrian collision at this location by requiring or warning approaching traffic, controlling pedestrian movements, and providing greater visibility and driver compliance. Instead, the City left these

pedestrians to cross a multi-lane arterial using only pavement markings and signs at a location the City already knew warranted more protection.

And to the extent the City intends to argue immunity under either A.R.S. §§ 12-820.01 or 12-820.03, those arguments will fail. Governmental liability is the rule in Arizona and immunity is the exception. *Garibay v. Johnson in and for County of Pima*, 257 Ariz. 118 (App. 2024). Arizona courts construe immunity provisions narrowly. *Id.* A court will find immunity only if the statute “clearly applies.” *Town of Colorado City v. Centennial Park Disposal*, 2025 WL 1304201 (Ariz. App. May 6, 2025). Section 12-820.01(A)(1) only protects legislative function/policymaking, whereas the “the implementation of policy—so-called ‘operational’ decisions—which are not entitled to such absolute immunity.” *Kohl v. City of Phoenix*, 215 Ariz. 291, 295, ¶ 19 (2007). Operational decisions “relate to the ordinary day-to-day operations of the government and involve the exercise of scientific or professional judgment.” *Orduno v. City of Phoenix*, 2019 WL 395568, at *3, ¶ 16 (Ariz. App. Jan. 31, 2019) (citing *Warrington v. Tempe Elem. Sch. Dist. No. 3*, 187 Ariz. 249, 253 (App. 1996)).

Section 12-820.01

As it relates to street-improvement projects, while “a municipal-level decision to adopt a street-improvement policy or to fund street construction generally is a legislative act, the approval of a specific project that carries out the existing policy is not.” *Tourtillot v. Yuma Cnty.*, 2019 WL 190506, at *3, ¶ 11 (Ariz. App. Jan. 15, 2019). Thus, when a public entity’s “improvements to [an] intersection merely carried out an existing policy,” the public entity “was not performing a legislative function.” *Id.*

In *Tourtillot*, several people were killed in a collision at the intersection of 9th Street and Avenue D in Yuma. At the time of the crash, E/W bound traffic on 9th Street was controlled by oversized 48” stop signs, additional warning signs, and flashing beacons alerting drivers that “Cross Traffic Does Not Stop.” *Id.* at *1, ¶ 2. Avenue D had no warnings and its speed limit was 35, whereas 9th Street’s speed limit was 50 mph. *Id.* Appellants approached the intersection on 9th Street, stopped, and then tried to cross, when they were struck by a truck traveling 20 mph over the speed limit on Avenue D. *Id.* at ¶ 3. Appellants filed suit against the County alleging negligent design, placement, maintenance, and operation of traffic control devices. Appellants also alleged that the County should have installed a multiway stop at the intersection and that Avenue D’s speed was not properly controlled. *Id.*

The County filed a summary judgment motion, arguing that it was immune under § 12-820.01. The evidence submitted by the parties showed that the County adopted a “roadway analysis process,” through which “various County employees and committees periodically collect and compile traffic accident data, which the County then reviews before

commissioning engineering studies to determine whether improvements are necessary to keep roadways within its jurisdiction safe.” *Id.* at ¶ 5. After this process, “major roadway improvements are subject to approval and funding” and “once implemented, the County monitors the changes to assess their impact upon traffic accidents.” *Id.*

Initially, the County employed a consultant to evaluate the safety of the intersection following a 1990 crash and the County decided that further intervention was not warranted. *Id.* at *2, ¶ 6. The County conducted a second study in 2000 and chose to install the oversized stop signs and flashing beacons. In 2008, “without having commissioned another study, the County placed warnings on the existing stop signs.” *Id.*

Under its administrative function immunity argument, the County argued that “allocating funds for road maintenance and safety projects constitutes the determination of a fundamental governmental policy.” *Id.* at ¶ 14. But the Court rejected the argument, explaining that “public administrative bodies make many decisions concerning allocation and expenditure of funds that could not be categorized as decisions involving the determination of fundamental governmental policy.” *Id.* The Court cited a previous appellate decision that held “were every governmental decision to allocate or expend funds protected by absolute immunity, immunity would be the rule and liability the exception. Such a state of affairs would contradict express legislative intent and our common law.” *Id.*

To determine whether the County’s actions constitute the determination of “a fundamental governmental policy,” the Court distinguished between “high-level policymaking decisions, which include promulgating rules and regulations, from operational decisions, which more often involve day-to-day implementation of a regulatory scheme.” *Id.* at *4, ¶ 15. Such operational decisions are not subject to immunity, “even where they involve the exercise of some discretion.” Thus, the “statute provides immunity only for such matters as a decision as to the direction and focus of an objective, but not for operational actions and decisions necessary to implement the chosen objectives.” *Id.*

The Court used the analysis from *A Tumbling-T Ranches v. Flood Control Dist. of Maricopa Cty.*, 222 Ariz. 515 (App. 2009) to discuss the difference between a policy making decision versus operational decisions. In *Tumbling-T*, the county’s decision “to alleviate flooding...was undoubtedly a policymaking decision, involving the expenditure of significant funds and also coordination with the governor’s office.” *Id.* at *4, ¶ 16. However, the “implementation of its overall flood-control plan was operational in that it involved the exercise of professional engineering judgment.” *Id.* Using this distinction, the *Tourtillot* Court held that “the County’s decision to operate and maintain a two-way stop at the Intersection, rather than a four-way stop, was not a decision on the direction and

focus of an objective or a high-level policymaking decision.” *Id.* Instead, it was one of “many day-to-day acts taken by the County...to further the County’s larger policy-driven roadway analysis process.” *Id.* Thus, the decision to maintain a two-way stop “was an operational decision not subject to immunity.” *Id.*

The Court also rejected the County’s argument that the decision regarding the measures employed at the intersection involved “judgment, discretion, and weighing alternatives.” *Id.* at ¶ 18. The “exercise of discretion,” the Court explained, “is important only to the extent it is used to formulate policy.” *Id.* The “critical inquiry associated with the test...is not merely whether judgment was exercised but whether the nature of the judgment called for policy considerations.” *Id.* The fact that employees exercised professional judgment did not change the nature of the decision to policymaking; “to the contrary, the need for professional judgment reinforces the character of the decision as operational.” *Id.*

Here, even if the City made high-level funding or planning decisions at an earlier stage, the timing and implementation of safety improvements at Euclid/2nd, including whether to deploy interim protections while the permanent project was pending, were operational decisions subject to liability.

Section 12-820.03

Similarly, the City cannot claim immunity under A.R.S. § 12-820.03, which provides limited immunity for plans or designs prepared in conformance with generally accepted engineering or design standards. The City’s maintenance of an unsignalized marked crosswalk at the Subject Intersection was not in conformance with generally accepted engineering standards, as evidenced by:

- The City’s own Policy 7.44, which acknowledged that many crosswalks were striped without engineering studies and that marked crosswalks at certain unsignalized locations increase pedestrian crash risk;
- The MUTCD standards requiring engineering studies before installing marked crosswalks at unsignalized locations;
- The City’s own decision to design a signalized replacement crossing, demonstrating its acknowledgment that the existing configuration did not meet acceptable safety standards;
- Missing signage (right-turn-only signs) at the Intersection, further demonstrating failure to maintain existing traffic control devices in conformance with any design standard.

IV. SPECIFIC AMOUNT FOR WHICH THIS CLAIM CAN BE SETTLED AND SUPPORTING FACTS

Pursuant to A.R.S. § 12-821.01(A), the Claimants state the following specific amounts for settlement of this claim:

- **“Claimant 1” — Joshua Troetel and Shannon Troetel, individually and as natural parents of Sophia Akimi Troetel, on behalf of the Estate of Sophia Akimi Troetel: \$50,000,000.00 (Fifty Million Dollars)**
- **“Claimant 2” — Andrea Hope Santos and Leo Santos, Jr., individually and as natural parents of Josiah Patrick Santos, on behalf of the Estate of Josiah Patrick Santos: \$50,000,000.00 (Fifty Million Dollars)**
- **“Claimant 3” — Carlos Castillo and Rosa Mendoza, individually and as natural parents of Katya Rosaura Castillo-Mendoza, and on behalf of the Estate of Katya Rosaura Castillo-Mendoza: \$50,000,000.00 (Fifty Million Dollars)**

To avoid any confusion, each Claimant 1, Claimant 2, and Claimant 3 each demands \$50,000,000.00 (Fifty Million Dollars) as the sum certain under A.R.S. § 12-821.01(A). These amounts are supported and fully captured by the following categories of damages:

A. Wrongful Death Damages (A.R.S. §§ 12-611 et seq.)

Each of the three decedents was a young adult at the prime of life, with decades of expected life ahead. Sophia Troetel was 21 years old, Josiah Santos was 22 years old, and Katya Castillo-Mendoza was 21 years old. All three were outstanding University of Arizona students with promising futures, with Sophia and Josiah being seniors and student employees. Their wrongful death damages include:

Loss of Love, Companionship, and Consortium: The families of each decedent have suffered and will continue to suffer the devastating, permanent loss of their children’s love, companionship, affection, guidance, comfort, and society. Sophia’s parents—Joshua and Shannon—have lost their daughter. The parents and families of Josiah and Katya have suffered the same irreparable loss. Additionally, Sophia and Josiah were significant others, compounding the loss experienced by both families.

Funeral and Burial Expenses: Sophia’s death certificate confirms she was cremated at Monarch Crematory in Tucson, with Adair Funeral Homes handling arrangements. The families of all three decedents have incurred and will incur funeral, burial, cremation, memorial, and related expenses.

Medical Expenses: Katya received extensive emergency and hospital treatment from the time of the collision until her death approximately 23 hours later, resulting in significant medical expenses. Emergency medical services were also provided to all three victims at the scene.

B. Emotional Distress of Family Members

The families of the decedents have suffered severe and ongoing emotional distress, grief, trauma, loss of quality of life, and psychological injury resulting from the sudden, violent, and preventable deaths of their loved ones. The community impact has also been profound—a vigil held on November 2, 2025, drew nearly 1,000 people, with a large percentage walking to the intersection of the crash for a moment of silence, as reported by UAPD Deputy Chief Corey Doggett.

V. PRESERVATION OF EVIDENCE

The City of Tucson is hereby placed on notice to preserve all documents, records, communications, photographs, video, electronic data, and other evidence relating to:

- The design, installation, maintenance, inspection, modification, and operation of the intersection of North Euclid Avenue and East 2nd Street, including all traffic control devices, signage, pavement markings, lighting, and signal systems;
- All engineering studies, traffic studies, safety assessments, crash analyses, and pedestrian counts conducted at or relating to the Subject Intersection;
- The HAWK and BikeHAWK Signals Improvement Plan Group 2, including all design documents, sealed plans, bid documents, right-of-way acquisition records, and construction schedules;
- All Proposition 411 Street Safety Improvement Plan documents, minutes, and records of the Complete Streets Coordinating Council;
- All internal and external communications (including emails, letters, text messages, memoranda, and meeting notes) relating to the Subject Intersection, including those among DTM staff, the City Manager's office, City Council members, the Tucson Police Department, and the University of Arizona;
- All records relating to Policy 7.44 and its application to the Subject Intersection;
- All crash reports, police reports, incident reports, and claims relating to the Subject Intersection and the surrounding area;

- All records relating to streetlight maintenance, functionality, and inspection at or near the Subject Intersection;
- All records relating to the non-functional Main Gate parking garage security cameras on October 30, 2025;
- All body-worn camera footage, in-car video, Flock Safety records, and other surveillance evidence;
- All records relating to TPD Case No. P2510300215 and UAPD Incident Number 2510300006;
- All records of prior crashes, incidents, complaints, and near-misses at or near the Subject Intersection.

VI. RESERVATION OF RIGHTS

The Claimants expressly reservetherightto amend, modify, or supplement this Notice of Claim as additional facts becomeavailablethrough investigation, discovery, and litigation. The Claimants further reserve therighttoassert additional theories of liability, additional defendants. This Notice of Claimisnotintended to be an exhaustive recitation of all facts and legal theories that may supporttheClaimants' claims.

The Claimants further reserve therighttoseek discovery related to the *Campion v. City of Tucson* litigation, including the City'sclaims of design immunity, the expert testimony and evidence presented in that case,andtheCity's internal policies and practices regarding crosswalk safety.

VII. STATUTORY DEEMED DENIAL

Pursuant to A.R.S. § 12-821.01(E), this claimisdeemed denied sixty (60) days after filing unless the Claimants areadvised of the denialinwriting before the expiration of that period.

VIII. CONCLUSION

The deaths of Sophia Troetel, Josiah Santos, and Katya Castillo-Mendoza were foreseeable and preventable. Years before October 30, 2025, the City had been told specifically why Euclid/2nd was dangerous, had logged the complaint as Case Number 60257, had evaluated and ranked the location for a HAWK crossing, had begun designing a signalized bicycle-and-pedestrian crossing, and still continued to maintain the uncontrolled marked- crosswalk configuration without timely installing either the chosen permanent remedy or

meaningful interim protections. Three young lives were taken as a direct and proximate result.

Very truly yours,
SKIVER BRADLEY, PLLC

/s/ Kellen W. Bradley

Kellen Bradley, Counsel for:
The Troetel Family

GALLAGHER & KENNEDY

/s/ Matthew Boatman

Matthew Boatman, Counsel for:
Andrea Hope Santos

PHILLIPS LAW GROUP

/s/ Montana Thompson

Montana Thompson, Counsel for:
Leo Santos, Jr.

SWEET JAMES ACCIDENT ATTORNEYS

/s/ Mohamad Tokko

Mohamad Tokko, Counsel for:
The Castillo-Mendoza Family

Enclosures via Dropbox Link:

<https://www.dropbox.com/scl/fo/8l5cwgxvg1qn74331hyjc/AB8ad3Eti2xRFdgg8BSL688?rlkey=x431ju8koiyt2pibew3njie3o&st=fp0ohych&dl=0>

Courtesy Copy via Private Process Service:

City of Tucson Mayor and Council Members
City Hall, Mayor & Council Chambers
255 W. Alameda, 9th Floor
Tucson, AZ 85701

NOC EXHIBITS

1. Subpoena Responses

- SDT_RESP_CTC_000001-000004 City of Tucson Clerk (PRR No. 10463) 012926
- SDT_RESP_CTC_000005-002863 City of Tucson Clerk (PRR No. 10463) 032026
- SDT_RESP_MCAO_000001-000009 Maricopa County Attorney's Office 031726
- SDT_RESP_PCA_000001 Pima County Attorney Office 012226 (No Recs)
- SDT_RESP_TPD_000001-001240 Tucson Police Department 021926
- SDT_RESP_TTM_000001-001225 Tucson Transport & Mobility (PRR 10464) 020926
- SDT_RESP_UOA_000001-000124 UofA Police and Parking & Transportation 021126

2. Public Record Request Responses

- PRR_RESP_TPD_000001-000132 Tucson PD Incident Report & Supplements 030726
- PRR_RESP_TPD_000133-000255 Tucson PD Incident Report & Supplements 033026
- PRR_RESP_TPD_000256-001065 Tucson PD Photographs (810) JPEG & PDF
- PRR_RESP_CTC_000001-000919 City of Tucson Clerk's (PRR No. 9179)

3. Claimants' Referenced Exhibits

- DECLARATION_000001-000010 Unsworn Declaration Eileen Lawless 032326
- PRR_RESP_CTC_000444-000463 2023-0821 - KO Meeting
- PRR_RESP_CTC_000464-000471 2023-0905 - Design Overview Mtg
- PRR_RESP_CTC_000472-000480 2023-0919 - Sept Coord Mtg
- PRR_RESP_CTC_000481-000496 2023-1016 - Oct Coord Mtg
- PRR_RESP_CTC_000497-000502 2023-1121 - Nov Comment Res Mtg
- PRR_RESP_CTC_000503-000508 2023-1204 - Coord Mtg wTEP
- PRR_RESP_CTC_000532-000542 2024-0122 - Jan Coord Mtg
- PRR_RESP_CTC_000543-000680 2024-0520 - May Coord Mtg
- PRR_RESP_CTC_000897-000905 2024-1210 - Dec Coord Mtg
- SDT_RESP_CTC_000011 PO-002128 Bike HAWKS -ARPA Funded PE #1

- SDT_RESP_CTC_000031 PO-002128 Bike HAWKS -ARPA Funded PE #21
FD101-CC4911-PG46CV-GR0050FW
- SDT_RESP_CTC_000032-000198 Final contract 230111-01 2
- SDT_RESP_CTC_000504-000505 HAWKS-BikeHAWKS-100_Combined_
Construction_Cost_Estimate-Group_1_31jul24
- SDT_RESP_CTC_000506-000507 HAWKS-BikeHAWKS-100_Combined_
Construction_Cost_Estimate-Group_2_31jul24
- SDT_RESP_CTC_000821 2023-0821 - KO Meeting
- SDT_RESP_CTC_000829 2024-0520 - May Coord Mtg
- SDT_RESP_CTC_000842 2024-1210 - Dec Coord Mtg
- SDT_RESP_CTC_001079 2nd & Euclid Crash Summary (2022 to Present)
- SDT_RESP_CTC_001080-001084 Safety Analysis Report (2nd & Euclid as of 110325)
- SDT_RESP_TTM_000008-000056 Complete Streets Coordinating Council Agenda
07.24.2024
- SDT_RESP_TTM_000057-000098 Complete Streets Coordinating Council Agenda
09.25.2024
- SDT_RESP_TTM_000191 Task Details (479047) - Install Additional Signage
- SDT_RESP_TTM_000193-000195 Dept of Transport Policy-Procedure Bulletin (Draft)
re Marked Crosswalks at Uncontrolled Locations
- SDT_RESP_TTM_000233-000234 Email Chain re Sign Replacement, Hold for Litigat, &
Don't Swap Signs Require Chain of Custody
- SDT_RESP_TTM_000259-000274 DTM 2024 Pedestrian Hybrid Beacon (HAWK)
Rankings
- SDT_RESP_TTM_000351 Proposed HAWK List (1)
- SDT_RESP_TTM_000352 DTM ARPA Project Framework_2024_04_25
- SDT_RESP_TTM_000356 DTM ARPA Projects Update for CMO_2024_01_18
- SDT_RESP_TTM_000358 ARPA Project Proposals (1)
- SDT_RESP_TTM_000361-000362 New Framework Codes Memo 7.2.24
- SDT_RESP_TTM_000802-000805 Clearance Calculation Sheet & Charts
- SDT_RESP_TTM_000806-000807 TDOT 7.44 Policy Removal of Pedestrian Crosswalk
Pavement Markings
- SDT_RESP_TTM_000827-001201 City Clerk's Office - DTM Email Search Request –
Subpoena Exhibit A, Item F (01.14.26)
- SDT_RESP_TTM_001202 2023-0821 - KO Meeting
- SDT_RESP_TTM_001203 2023-0905 - Design Overview Mtg
- SDT_RESP_TTM_001204 2023-0919 - Sept Coord Mtg
- SDT_RESP_TTM_001205 2023-1016 - Oct Coord Mtg

- SDT_RESP_TTM_001206 2023-1121 - Nov Comment Res Mtg
- SDT_RESP_TTM_001207 2023-1204 - Coord Mtg wTEP
- SDT_RESP_TTM_001209 2024-0122 - Jan Coord Mtg
- SDT_RESP_TTM_001210 2024-0520 - May Coord Mtg
- SDT_RESP_TTM_001223 2024-1210 - Dec Coord Mtg
- SDT_RESP_UOA_000009-000016 Call_log
- SDT_RESP_UOA_000017-000031 Case_Report
- SDT_RESP_UOA_000032-000048 Radio_Log
- SDT_RESP_UOA_000053-000057 240820-RE_ MainGate Stakeholder Coordination –
2nd_Euclid HAWK Crossing
- SDT_RESP_UOA_000064-000066 240912-RE_ 2nd Street
- SDT_RESP_UOA_000067-000077 241115- Re_ MainGate Stakeholder Coordination –
2nd_Euclid HAWK Crossing

4. Louis John Artal Exhibits

- ARTAL000001-000002 Toxicology Report of Louis John Artal

5. Troetel Claimants' Exhibits

- TROETEL000001 Death Certificate of Sophia Troetel_Redacted
- TROETEL000002-000005 Medical Examiner Report of Sophia Troetel
- TROETEL000006-000008 Toxicology Report of Sophia Troetel

6. Santos' Claimants' Exhibits

- SANTOS000001-000004 Medical Examiner Report of Josiah Santos
- SANTOS000005-000006 Toxicology Report of Josiah Santos

7. Castillo-Mendoza Claimants' Exhibits

- CASTILLO-MENDOZA000001-000005 Medical Exam Report of Castillo-Mendoza
- CASTILLO-MENDOZA000006-000008 Toxicology Report of Castillo-Mendoza