MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

October 12, 2012

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Chiarvalle, Sandra v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Sandra Chiarvalle 35 Islewoods Grand Island, New York 14072
Claimant's attorney:	Charles S. Desmond, II Gibson, McAskill & Crosby, LLP 69 Delaware Avenue, Suite 900 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle M. Parker
First Assistant County Attorney

MMP:dld

Enclosure

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

SANDRA CHIARVALLE
35 Islewoods
Grand Island, New York 14072,

Claimant,

vs.

COUNTY OF ERIE
95 Franklin Street, 16th Street
Buffalo, New York 14202,

Respondent.

NOTICE OF CLAIM

This paper received at the Erie County Attorney's Office from [illegible] the 5 day of Oct, 2012 at 9:31 a.m./p.m.
Assistant County Attorney

TO: COUNTY OF ERIE
95 Franklin Street, 16th Street
Buffalo, New York 14202

PLEASE TAKE NOTICE, that Claimant hereby make a claim against the COUNTY OF ERIE and in support of said claim states the following:

1. The Claimant resides at 35 Islewoods, Grand Island, New York 14072.

2. The attorneys for the Claimants are GIBSON, McASKILL & CROSBY, LLP, 69 Delaware Avenue, Suite 900, Buffalo, New York 14202.

3. The claims of Claimant are for: The negligence, carelessness and recklessness of Respondent by creating and allowing a dangerous and defective condition and violations of various rules, regulations and laws of the State of New York, County of Erie and Town of Grand Island, which are the proximate cause of personal injuries to Claimant, SANDRA CHIARVALLE.

4. The claims arose in substance as follows: On July 13, 2012, Claimant, SANDRA CHIARVALLE, was injured when she was lawfully operating her bicycle on the bike path on the east side of Grand Island Boulevard in the Town of Grand Island. Specifically, Ms. Chiarvalle was riding her bicycle northbound on the bike path in immediate vicinity of 1693 Grand Island Boulevard when she ran into a post which was erected in the middle of the bike path. At the time of her incident, Ms. Chiarvalle had passed the driveway leading into the "Tim Horton's" located at 1685 Grand Island Boulevard but had not yet passed the parcel of land located at 1693 Grand Island Boulevard. Pictures documenting the location of the incident are attached as **Exhibit A.**

5. As a result of the July 13, 2012 accident, Claimant, SANDRA CHIARVALLE, sustained a fracture to her left wrist, together with other serious and permanent injuries to her left wrist. Claimant also suffered neck and back injuries.

6. As a result of the aforesaid incident and resulting injuries the Claimant claims damages against the COUNTY OF ERIE in an amount in excess of the jurisdictional limits of all lower courts.

WHEREFORE, the Claimant requests that the COUNTY OF ERIE honor and pay the claims on behalf of the Claimant in excess of the jurisdictional limit.

Dated: Buffalo, New York
October 4, 2012

GIBSON, McASKILL & CROSBY, LLP

By: _____

Charles S. Desmond, II, Esq.
Attorneys for Claimant
69 Delaware Avenue, Suite 900
Buffalo, New York 14202
Telephone: (716) 856-4200

VERIFICATION

STATE OF NEW YORK)
ss:
COUNTY OF ERIE)

SANDRA CHIARVALLE, being duly sworn, deposes and says that she is the claimant in the above-entitled matter and has read the foregoing Claim and knows the contents thereof, and that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those, deponent believes same to be true.

SANDRA CHIARVALLE

Sworn to before me this
4th day of October 2012.

Notary Public

SHARON A. YELL
Notary Public State of New York
Qualified in Erie County
My Commission Expires: Nov. 25, 2014

EXHIBIT A

Certified
AUTOBROKERS

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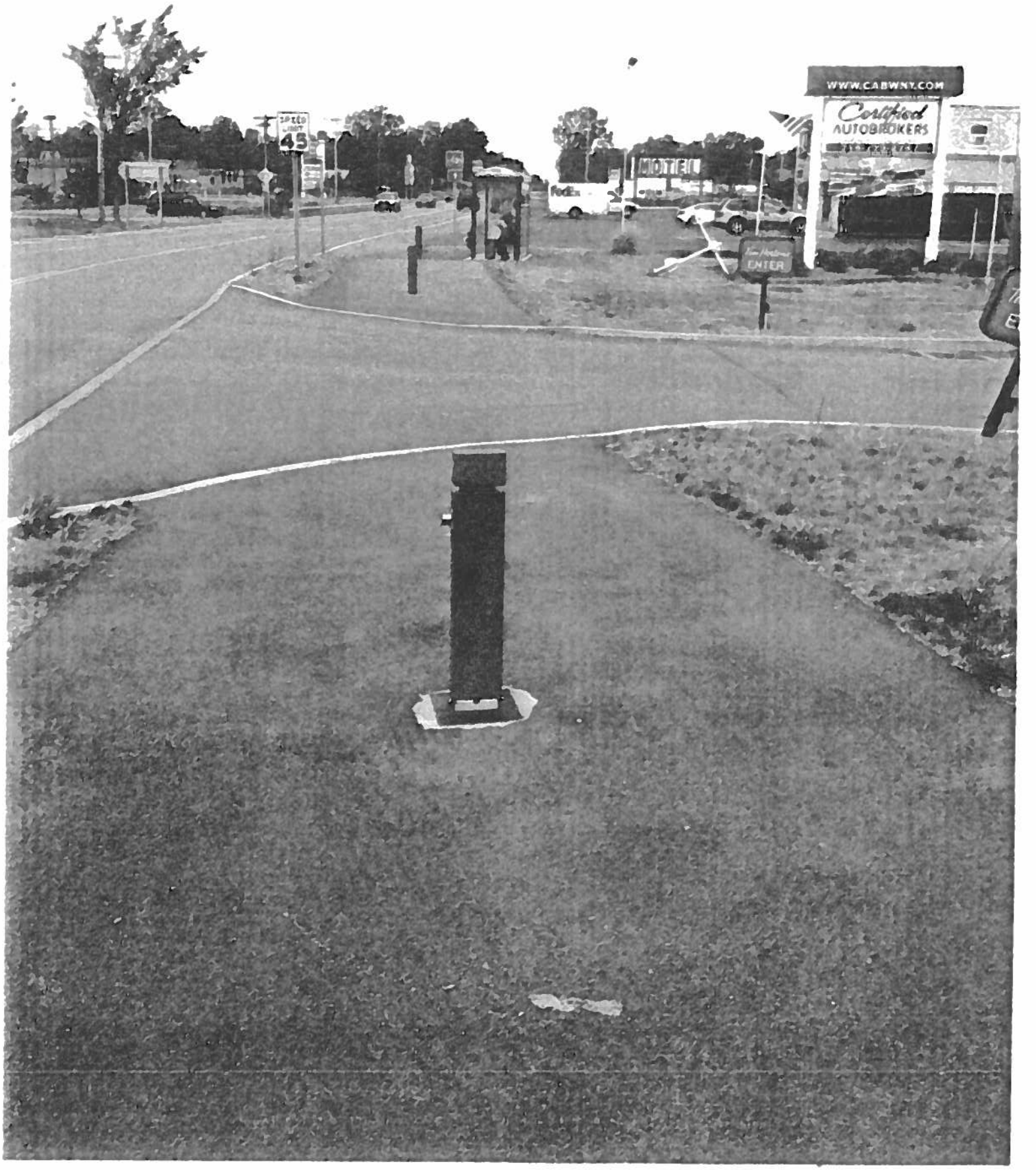
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