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

February 12, 2013

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:	*Green, Michelle v. City of Buffalo and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Michelle Green 73 Gallatin Avenue, Upper Buffalo, New York 14207
Claimant's attorney:	Amanda C. Townsend, Esq. William Mattar, P.C. 6720 Main Street, Suite 100 Williamsville, New York 14221

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

IN THE MATTER OF THE CLAIM OF:

MICHELLE GREEN
73 Gallatin Avenue
Upper
Buffalo, New York 14207

Claimant,

-against-

CITY OF BUFFALO
65 Niagara Square
1100 City Hall
Buffalo, New York 14202

ERIE COUNTY
95 Franklin Street
Buffalo, New York 14202,

Respondents.

NOTICE OF CLAIM

PLEASE TAKE NOTICE that the undersigned, **MICHELLE GREEN**, hereby presents in accordance with New York Public Authorities Law § 1299-P, this Notice of Claim and makes claim against the City of Buffalo and Erie County, and in support thereof alleges:

1. The name of the Claimant is MICHELLE GREEN and she resides at 73 Gallatin Avenue, Upper, Buffalo, New York 14207. The attorneys for the Claimant are William K. Mattar, P.C., 6720 Main Street, Suite 100, Williamsville, NY 14221-5986.

2. The nature of the Claim is one to recover damages for personal injuries and conscious pain and suffering, change of lifestyle, loss of enjoyment of life, general and special damages, medical expenses and property damage, and all other damages allowed by law resulting from the injuries suffered by the Claimant, MICHELLE GREEN, as a result of the negligence of the City of Buffalo and Erie County.

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3. The incident which forms the basis of the claim herein occurred at approximately 7:45am. on Wednesday January 23, 2013 in the City of Buffalo, County of Erie and State of New York. On that date and at that time, the Claimant, MICHELLE GREEN, was the driver of her vehicle that was lawfully traveling eastbound on Interstate 198 near Grant Street when another vehicle lost control due to black ice on the road and struck our client, causing her vehicle to be pushed into another vehicle. As a result, the Claimant was violently thrown forward, resulting in her suffering bodily injury.

4. That as a result of the foregoing, the Claimant, MICHELLE GREEN sustained serious and substantial injuries, including a severe laceration to her forehead, a severe headache, and injuries which necessitated emergency medical attention. These injuries may be of a permanent or indefinite duration, and the Claimant, MICHELLE GREEN, has been and may be forced to expend sums of money for hospitals, doctors, and other medically related expenses. Other injuries will be disclosed as revealed through diagnosis by treating physicians and other medical personnel.

5. That the said injuries were occasioned solely and wholly as a result of the negligence of the City of Buffalo and Erie County, in the ownership, maintenance, management, operation, and control of its roads.

WHEREFORE, the Claimant, MICHELLE GREEN, requests that this claim be allowed and paid by the City of Buffalo and/or Erie County.

PLEASE TAKE FURTHER NOTICE, that unless said claim is adjusted and paid by the City of Buffalo and/or Erie County within thirty (30) days from the date of service of the Notice of Claim, said Claimant intends to commence an action in the Supreme Court of the State of New York against the Respondents, seeking a sum which exceeds the jurisdictional limits of all

lower courts which would otherwise have jurisdiction, together with interest, costs and disbursements.

DATED: February 7, 2013

Amanda C. Townsend, Esq.
WILLIAM MATTAR, P.C.
Attorneys for Claimant
Office and Post Office Address
6720 Main Street, Suite 100
Williamsville, NY 14221-5986
(716) 633-3535

Claimant, MICHELLE GREEN, being duly sworn, deposes and says:

I have read the foregoing notice of claim and know its contents; the same is true to my knowledge, except as to those matters therein stated to be alleged on information and belief, and as to those matters I believe them to be true.

Michelle Green

Michelle Green

Subscribed and sworn to before me

this 3 day of February 2013

Gretchen Hoffmann Miracle

Notary Public

GRETCHEN HOFFMANN MIRACLE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Mar. 1, 2014