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

March 28, 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: | *Spindelman, Margaret v. County of Erie, State of New York* |
| Document Received: | Notice of Claim |
| Name of Claimant: | Margaret A. Spindelman<br>2095 Center Street<br>East Aurora, New York 14052 |
| Claimant's attorney: | Matthew A. Lazroe, Esq.<br>410 Main Street, Ste 200<br>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

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MARGARET A. SPINDELMAN
2095 CENTER ST
EAST AURORA, NY 14052

Claimant,

v.

**NOTICE OF CLAIM**

COUNTY OF ERIE, STATE OF NEW YORK

Defendant.

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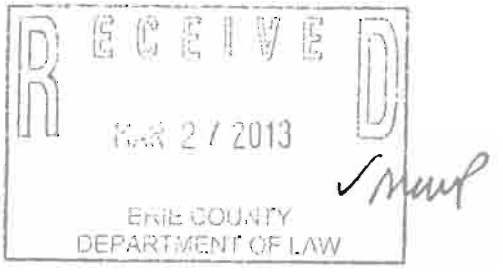


**TO:**
Erie County Attorney
95 Franklin St, Room 1634
Buffalo, NY 14202

PLEASE TAKE NOTICE that Margret Spindelman, whose address is 2095 Center St East Aurora, NY 14052 (the Claimants), herein makes claim against the County of Erie, State of New York for personal injuries sustained by the Claimant and states:

1. The Post Office address of Claimant is 2095 Center St East Aurora, NY 14052. The name of the attorney for Claimant is Matthew A. Lazroe, Esq. 37 Franklin St Suite 750, Buffalo, NY 14202.

2. The nature of the claim of Margret Spindelman, is for personal injuries sustained to Claimant arising from a automobile accident through the negligent, careless, intentional and

reckless acts or omissions on the part of the agents, servants and employees of the County of Erie, State of New York.

3. Said claim arose on or about 12/11/2012 at approximately 4:25pm.

4. The place of sustaining injuries was the intersection of Center St and Blakely Corners Rd.

5. The above accident, injuries and resulting damages were caused entirely and solely through the negligence, careless, intentional and reckless acts or omissions on the part of the Defendants its agents, servants and/or employees, appointees, designees, departments and divisions thereof.

6. The Claimant, solely by reason of negligence, careless, intentional and reckless acts or omissions on the part of the Defendants has sustained great pain and suffering, including, but not limited to psychological and/or psychiatric damage, physical injury to herself, loss of income from employment, and loss of future income from employment. The full degree and extent of injuries sustained are still unknown at this time.

7. That by reason of the foregoing injuries, said Claimant was injured and will continue to suffer great pain, discomfort, distress and has and will require the services of physicians, psychologists, nurses, hospitals, therapy and medicines and will continue to incur such expenses in the future; and has lost opportunities in education and the work force; physical injuries and as a result of the aforesaid injuries and resulting permanent nature said Claimant has been incapacitated and/or limited from activities, both social and educational, of her daily living and will continue to be incapacitated in the future; and as a result of the aforesaid injuries and permanency relating thereto, the future activities and social and personal endeavors and hobbies of Claimant and her enjoyment of life will be partially and/or totally impaired as a result thereof, all

to the damage of the Claimant.

PLEASE TAKE FURTHER NOTICE, that the Claimant requests payment of the claims and damages sustained by her as hereinbefore set forth.

Dated: Buffalo, New York
March 23, 2013

Matthew A. Lazroe, Esq.
37 Franklin St, Suite 750
Buffalo, NY 14202
716-989-9813

STATE OF NEW YORK }
COUNTY OF ERIE } ss:

Matthew A. Lazroe, ESQ., being duly sworn, deposes and says:

That your deponent is the Attorney of record for the Claimant in the above-entitled action, and, as such, is filing the within Notice of Claim on behalf of the Claimant, Margaret Spindelman; that your deponent has read the foregoing Claim, Notice and Statement, and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters your deponent believes the same to be true; the source of your deponent's knowledge and information is an investigation of this matter, documents and writings in your deponent's possession and actual conversations with the Claimant.

Matthew A. Lazroe, Esq.

Subscribed and sworn to before me
this 26 day of March, 2013

Notary Public Jeffrey A Lazroe
Notary Public
Qualified in Erie Co. N.Y.
My Commission Expires 8/20/2013