(9)

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

August 15, 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:	*Walker, Nakia N. v. City of Buffalo, County of Erie, Buffalo Board of Education, Buffalo Public Schools, First Student, Inc.*
Document Received:	Notice of Claim
Name of Claimant:	Nakia N. Walker 79 Freund Street Buffalo, New York 14215
Claimant's attorney:	Daniel J. Michalek, 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
Enc.

This paper received at the
Erie County Attorney's Office
from Monique Geisling on
the 13th day of May, 2013
at 2:11 a.m./p.m.

Assistant County Attorney

IN THE MATTER OF THE CLAIM OF:

NAKIA N. WALKER
79 Freund Street
Buffalo, NY 14215

Claimant,

-against-

NOTICE OF CLAIM

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

COUNTY OF ERIE
95 Franklin Street, Room 1634
Buffalo, NY 14202

BUFFALO BOARD OF EDUCATION
720 City Hall
Buffalo, NY 14202

BUFFALO PUBLIC SCHOOLS
712 City Hall
Buffalo, NY 14202

FIRST STUDENT, INC.
c/o CT Corporation System
111 Eighth Avenue
New York, NY 10011

Respondents.

PLEASE TAKE NOTICE that **NAKIA N. WALKER**, hereby makes claim against the CITY OF BUFFALO, COUNTY OF ERIE, BUFFALO BOARD OF EDUCATION

BUFFALO PUBLIC SCHOOLS and FIRST STUDENT, INC., and in support thereof Claimant alleges:

1. That the undersigned Claimant, NAKIA N. WALKER, residing at 79 Freund Street, Buffalo, NY 14215, by and through her attorney, WILLIAM MATTAR P.C., 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the CITY OF BUFFALO, COUNTY OF ERIE, BUFFALO BOARD OF EDUCATION, BUFFALO PUBLIC SCHOOLS and FIRST STUDENT, INC., their servants, agents or employees for personal injuries, pain and suffering, general and special damages, medical expenses, and property damages sustained by her.

2. That the said injuries were sustained by NAKIA N. WALKER on June 3, 2013 at approximately 8:00 a.m. at the intersection of Jefferson Avenue and East North Street, in the City of Buffalo, County of Erie, and State of New York.

3. That the Claimant's damages and injuries occurred as a result of the negligence, carelessness, and reckless disregard for the safety of others including Claimant, NAKIA N. WALKER, by the CITY OF BUFFALO, COUNTY OF ERIE, BUFFALO BOARD OF EDUCATION, BUFFALO PUBLIC SCHOOLS and FIRST STUDENT, INC., their servants, agents or employees, through negligent operation of a school bus, along with other acts of negligence, carelessness and recklessness.

4. That the aforesaid CITY OF BUFFALO, COUNTY OF ERIE, BUFFALO BOARD OF EDUCATION, BUFFALO PUBLIC SCHOOLS and FIRST STUDENT, INC., by

and through their agents, servants and employees had actual or constructive notice of the dangerous condition and hazard caused by said activity.

5. That as a result of the foregoing, the Claimant, NAKIA N. WALKER, sustained very serious injuries, including injuries to her lumbar back, chest, stomach, right shoulder, left knee and right knee and other injuries. Some of these injuries will be of a permanent or indefinite duration, and Claimant, NAKIA N. WALKER, has and will, in the future be forced to expend sums of money for hospitals, doctors and other medical expenses.

6. That the said injuries were occasioned solely and wholly as a result of the negligence of the CITY OF BUFFALO, COUNTY OF ERIE, BUFFALO BOARD OF EDUCATION, BUFFALO PUBLIC SCHOOLS and FIRST STUDENT, INC., and through their agents, servants and employees and without any negligence on the part of the Claimant contributing thereto.

DATED: Williamsville, New York
August 6, 2013

Daniel J. Michalek, Esq.
WILLIAM MATTAR, P.C.
Attorney for Claimant
Office and P.O. Address
6720 Main Street, Suite 100
Williamsville, NY 14221-5986
(716)633-3535

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

NAKIA N. WALKER, being duly sworn, depose and say that she is the Claimant in this action; that she has read the foregoing Notice of Claim and know the contents thereof; that the same is true to the knowledge of deponents, except as to matters therein stated to be alleged on information and belief, and that as to those matters they believe them to be true.

Nakia N. Walker
NAKIA N. WALKER

Sworn to before me this
6th day of ~~July~~ August, 2013

Martha Jane Lenhardt
Notary Public

MARTHA JANE LENHARDT
Notary Public, State of New York
My Commission Expires 1-3-2014