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

August 16, 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:	*Maitland, Dominique R. v. Erie County Sheriff's Department, County of Erie and Deputy Robert Galbraith*
Document Received:	Notice of Claim
Name of Claimant:	Dominique R. Maitland 5 Colonial Drive, Apt. 2 Springville, New York 14141
Claimant's attorney:	Jeffrey A. Black, Esq. Dwyer, Black & Lyle, LLP 1616 West State Street P.O. Box 648 Olean, New York 14760-0648

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.

In the Matter of the Claim of

In the Matter of the Claim of Dominique R. Maitland

TO: Erie County Sheriff's ~~Department (New York)~~
County of Erie, New York
Deputy Robert Galbraith, Erie County Sheriff's Department

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim and demand against you as follows:

1. *The name and post-office address of each claimant and claimant's attorney is:*

Dominique R. Maitland, 5 Colonial Drive, Apt. 2, Springville, NY 14141
Dwyer, Black & Lyle, LLP, Ethan M. Lyle, Esq., 1616 W. State St., P.O. Box 648, Olean, NY 14760

2. *The nature of the claim:*

Recklessness, carelessness, and negligence resulting in personal injuries to claimant Dominique Maitland. Specifically, Erie County Sheriff's Department for Erie County, New York, their employees, officers, agents, servants and/or contractors were negligent as follows: carelessly and negligently failing to have their vehicle under control at all times; carelessly and negligently traveling at a speed not reasonable and prudent for the conditions then and there existing; carelessly and negligently failing to make a timely and adequate application of the brakes; carelessly and negligently failing to take proper evasive action; carelessly and negligently failing to sound the horn on the vehicle; failure to use due care and caution when entering an intersection; failure to reduce speed when noticing a bicyclist in the roadway; failure to drive with due regard for safety of all persons; recklessly and disregarding the safety of others by failing to utilize or activate emergency lights or siren; reckless and careless driving evidencing a disregard for the safety of the pubic; and defendants were otherwise negligent.

3. *The time when, the place where and the manner in which the claim arose:*

The incident creating the claim occurred on July 5, 2013 at approximately 10:30 p.m. on Buffalo Road near of its intersection with Church Street in the Village of Springville, Erie County, New York. The claim arose as a result of Erie County Sheriff's Deputy Robert Galbraith operating his police patrol vehicle in a northbound direction on Buffalo Road and upon reaching Buffalo Road's intersection with Church Street, said Deputy Galbraith struck a bicyclist, Dominique R. Maitland propelling her onto said police patrol vehicle's windshield and then onto the pavement.

4. *The items of damage or injuries claimed are (do not state dollar amounts)*

Serious and permanent personal injuries, pain and suffering, property damage, medical and related expenses, loss of income and earning potential to claimant, Dominique Maitland, with all items of damages being in the past, present and future.