



COUNTY OF ERIE

MICHAEL SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY TOTH
SECOND ASSISTANT COUNTY ATTORNEY

June 5, 2014

Mr. Scott W. Kroll, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Kroll:

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:	<i>Robert Wilms vs Erie County</i>
Document Received:	Notice of Claim
Name of Claimant:	Robert Wilms 1590 Lindan Drive Alden, New York 14004
Claimant's Attorney:	Greco Trapp, PLLC 1700 Rand Building 14 Lafayette Square Buffalo, New York 14203

Should you have any questions, please call.

Very truly yours,

MICHAEL SIRAGUSA
Erie County Attorney

By: 

Michelle M. Parker
First Assistant County Attorney

MMP/crb
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Claim of
ROBERT WILMS,

Claimant,

vs.

ERIE COUNTY.

Respondent

NOTICE OF CLAIM

Index No.

PLEASE TAKE NOTICE, that Robert Wilms, the claimant herein ("claimant"), does hereby make the following claim for damages against Erie County ("the "County") and in support thereof states:

1. The claimant resides at 1590 Lindan Drive, Alden, New York 14004.
2. The name and address of the attorneys for Claimant is:

Greco Trapp, PLLC
1700 Rand Building
14 Lafayette Square
Buffalo, New York 14203.

3. This claim is against the County for personal injuries and special damages sustained by the claimant by reason of the negligence and misconduct of the County, its agents, servants, and employees.

4. Upon information and belief, the claim arose on or about March 3, 2014, at approximately 7:20 AM.

5. Upon information and belief, the place where the claim arose was in parking lot A in front of the Terrace View Long-Term Care Facility at Erie County Medical Center, located at 462 Grider Street, Buffalo Erie County, State of New York.

6. Upon information and belief, at the time and place aforesaid, Robert Wilms was injured when he fell in the parking lot. While walking through a handicap parking spot in the parking lot in front of the Terrace View Long-Term Care Facility in a careful and prudent manner, Claimant slipped and fell on a patch of ice causing him to fall to the ground and suffer significant injuries.

7. Upon information and belief, the accident was caused by the failure of the County to maintain the parking lot in a reasonably safe condition. Upon information and belief, the County was aware of the dangerous and icy condition in the parking lot where the claimant fell or should have been aware of said condition, and it failed to take reasonable measures to correct the dangerous condition.

8. Upon information and belief, the Claimant, by reason of the negligence of ECMC, sustained serious economic and personal injuries including, but not limited to, a fracture of his left posterior malleolus, medical and hospital expenses, and lost earnings.

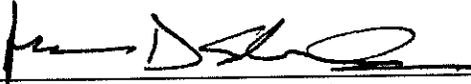
Dated: Buffalo, New York
June 2, 2014



Duane D. Schoonmaker, Esq.
Greco Trapp, PLLC
Attorneys for Claimant
1700 Rand Building
14 Lafayette Square
Buffalo, New York 14203
(716) 856-5800

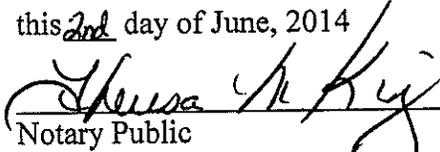
VERIFICATION

Duane D. Schoonmaker, being duly sworn, deposes and says that deponent is makes this verification on behalf of the Claimant named in the within matter. Deponent has read the within Notice of Claim and knows the contents thereof; that the same is true to deponent's knowledge except as to matters therein stated to be alleged upon information and belief and that as to such matters deponent believes to be true.



Duane D. Schoonmaker

Subscribed and sworn before me
this 2nd day of June, 2014



Notary Public

THERESA M. KING
Notary Public, State of New York
Qualified in Erie County
My Commission Expires July 25, 2017