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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

October 29, 2014

Ms. Karen McCarthy, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

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:	*Abed, Nooriya v. Erie County Medical Center and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Nooriya Abed 89 Rosedale Street Buffalo, New York 14207
Claimant's attorney:	Michael R. Argentieri, Esq. William K. Mattar, P.C. 6720 Main Street Suite 100 Williamsville, New York 14221-5986

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle Parker
First Assistant County Attorney

MMP:dld
Enc.

This paper received at the
Erie County Attorney's Office
from Mike Argentieri on
the 7 day of October, 2014
at 3:25 a.m. (p.m.)
Assistant County Attorney

IN THE MATTER OF THE CLAIM OF:

NOORIYA ABED
89 Rosedale Street
Buffalo, NY 14207

Claimant,

-against-

NOTICE OF CLAIM

ERIE COUNTY MEDICAL CENTER
462 Grider Street
Buffalo, NY 14215

COUNTY OF ERIE
69 Delaware Avenue
Buffalo, NY 14202

Respondent.

PLEASE TAKE NOTICE that **NOORIYA ABED,** hereby makes claim against **ERIE COUNTY MEDICAL CENTER** and the **COUNTY OF ERIE**, and in support thereof Claimant alleges:

1. That the undersigned Claimant, NOORIYA ABED, residing at 89 Rosedale Street, Buffalo, NY 14207, by and through her attorney, MICHAEL R. ARGENTIERI, William Mattar PC, 6720 Main Street, Suite 100, Williamsville, NY 14221-5986, claims damages against the ERIE COUNTY MEDICAL CENTER and the COUNTY OF ERIE 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 NOORIYA ABED on July 21, 2014 at approximately 10:30am on that day when she was walking in the hallway near the cafeteria, which was owned and operated by ERIE COUNTY MEDICAL CENTER and the COUNTY OF ERIE, its servants, agents or employees, and she slipped upon the wet surface, causing her to fall.

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, NOORIYA ABED, by ERIE COUNTY MEDICAL CENTER and the COUNTY OF ERIE, its servants, agents or employees, in failing to remove hazardous material from the hallway, and to provide a safe location to transit, in failing to properly warn pedestrians of wet surface, along with the other acts of negligence, carelessness and recklessness.

4. That the aforesaid ERIE COUNTY MEDICAL CENTER and the COUNTY OF ERIE by and through its 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, NOORIYA ABED, sustained very serious injuries, sustaining an oblique fracture of the distal left fibula and other injuries. Some of these injuries will be of a permanent or indefinite duration, and Claimant, NOORIYA ABED, 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 ERIE COUNTY MEDICAL CENTER and the COUNTY OF ERIE, and through

its agents, servants and employees and without any negligence on the part of the Claimant contributing thereto.

DATED: Williamsville, New York
October 6, 2014

Michael R. Argentieri, Esq.
WILLIAM MATTAR, P.C.
Attorney for Claimant
6720 Main Street
Suite 100
Williamsville, NY 14221-5986
(716)633-3535

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

NOORIYA ABED, 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.

Nooriya abed
NOORIYA ABED

Sworn to before me this
6th day of October, 2014

Notary Public

Bridgette Dukarm
Notary Public - State of New York
No. 01DU6141707
Qualified in Erie County
My Commission Expires February 27, 18