(b)

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:	*Yocum, Matthew and Barbara v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Matthew and Barbara Yocum 41 Charlton Place Lancaster, New York 14086
Claimant's attorney:	Matthew D. Braisted, Esq. The Ballow Law Firm 8226 Main Street Buffalo, New York 14221

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.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

MATTHEW YOCUM and BARBARA YOCUM

Claimants,

vs

NOTICE OF CLAIM

COUNTY OF ERIE

Respondent,

Please take notice that the above named Claimants, pursuant to New York General Municipality Law §50-e, hereby make Claim against the above named Respondent as follows:

1. Name and post-office address of the Claimants: Matthew and Barbara Yocum, 41 Charlton Place, Lancaster, New York 14086
2. Name and post-office address of Claimants' attorneys: The Ballow Law Firm, 8226 Main Street, Williamsville, New York 14221.
3. The nature of the Claim: Negligence of the Respondent and its employees and/or agents, in the design, inspection, maintenance and repair of the southernmost section of County Route 82 (upon information and belief a/k/a Buffalo Road/Mill Street), including the bridge spanning Cattaraugus Creek at the border between Cattaraugus and Erie County, and the surrounding and adjacent right of ways.
4. The time when, place where, and manner in which the Claim arose: On Monday, July 21, 2014 at approximately 2:10 p.m., the Claimants were riding a motorcycle southbound on the above referenced bridge, upon information and belief known as Ashford Bridge No. 37, when a pick-up truck approaching from the opposite direction failed to negotiate a blind curve constituting the northbound approach to the bridge, crossed over into the southbound lane, and crashed head-on into the Claimants' motorcycle on the bridge.

5. As a result of this incident, the Claimants each suffered multiple fractures and other severe and permanent physical, emotional and psychological injuries, and have incurred special damages by way of medical expenses and loss of income, which upon information and belief they will continue to accrue in the future.

DATED: October 16, 2014

THE BALLOW LAW FIRM

Michael D. Braisted, Esq.
8226 Main Street
Buffalo, New York 14221
(716) 634-0500

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)

) ss.:

COUNTY OF ERIE)

MATTHEW YOCUM, being duly sworn, deposes and says: that deponent is the Claimant in the within action; that deponent has read the foregoing **NOTICE OF CLAIM** and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.

MATTHEW YOCUM

Sworn to before me this 16th
day of October 2014

Notary Public

MICHAEL D. BRAISTED
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 3-2-18

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)

) ss.:

COUNTY OF ERIE)

BARBARA YOCUM, being duly sworn, deposes and says: that deponent is the Claimant in the within action; that deponent has read the foregoing **NOTICE OF CLAIM** and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.

Barbara Yocum

BARBARA YOCUM

Sworn to before me this 16th
day of October 2014

Notary Public

MICHAEL D. BRAISTED
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 3-2-18