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

November 26, 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:	*Graff, Ellen M. v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Ellen M. Graff 110 Adam Street Tonawanda, New York 14150
Claimant's attorney:	Brian R. Hogan, Esq. Paul William Beltz, P.C. 36 Church Street Buffalo, New York 14202

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.

IN THE MATTER OF THE CLAIM OF
ELLEN M. GRAFF
Claimant,

vs.

COUNTY OF ERIE
Respondent.

NOTICE OF CLAIM

This Claim was received at the Erie County Attorney's Office from Mark Wirsick on the 12 day of November, 2014 at 2:00 a.m./p.m.

Assistant County Attorney

PLEASE TAKE NOTICE that **ELLEN M. GRAFF**, pursuant to statutes in such cases made and provided, does hereby make claim against COUNTY OF ERIE, and in support of such claim does state the following:

1. Claimant's post office address is 110 Adam Street, Tonawanda, New York 14150.

2. My attorneys are **PAUL WILLIAM BELTZ, P.C.,** 36 Church Street, Buffalo, New York 14202.

3. The facts and circumstances of the accident, upon information and belief, are:

That on or about August 15, 2014 at approximately 3:15 p.m., Claimant Ellen M. Graff was caused to be injured on property owned by COUNTY OF ERIE, located at 150 Crosspoint Parkway in the Town of Amherst, New York. More specifically, claimant was injured when a pothole caused her to fall while she was in the process of walking in the parking lot on the west side of building located at said address, due to the negligence of the named respondent herein. Photographs depicting the area is attached hereto as **EXHIBIT A**. The claimant sustained a fractured left elbow, a fractured right ankle, and a left shoulder injury,

among other injuries, as a result of respondent's negligence.

4. That by reason of the premises, the claimant, Ellen M. Graff, suffered certain severe and painful injuries, internal as well as external; conscious pain and suffering; lost wages, and other items of damages pursuant to General Municipal Law §§50-e, CPLR §3017(c), and any other damages claimant is entitled to under the laws of the State of New York.

WHEREFORE, claimant requests that the claim be allowed and paid for by the County of Erie, pursuant to General Municipal Law §§50-e, and CPLR §3017(c), together with interest, costs and disbursements in this action.

PAUL WILLIAM BELTZ, P.C.

Brian R. Hogan, Esq.
Attorneys for Claimant
36 Church Street
Buffalo, New York 14202

ELLEN M. GRAFF

Sworn to before me this
11th day of November, 2014

Notary Public

KEVIN J. GRAFF
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires Jan. 28, 2018

STATE OF NEW YORK:
COUNTY OF ERIE : SS.:

ELLEN M. GRAFF, being duly sworn, deposes and says that she is the Claimant in this action; that she has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters they believe it to be true.

Ellen M. Graff
ELLEN M. GRAFF

Sworn to before me this
1th day of November, 2014

Notary Public

KEVIN J. GRAFF
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires Jan. 20, 2018
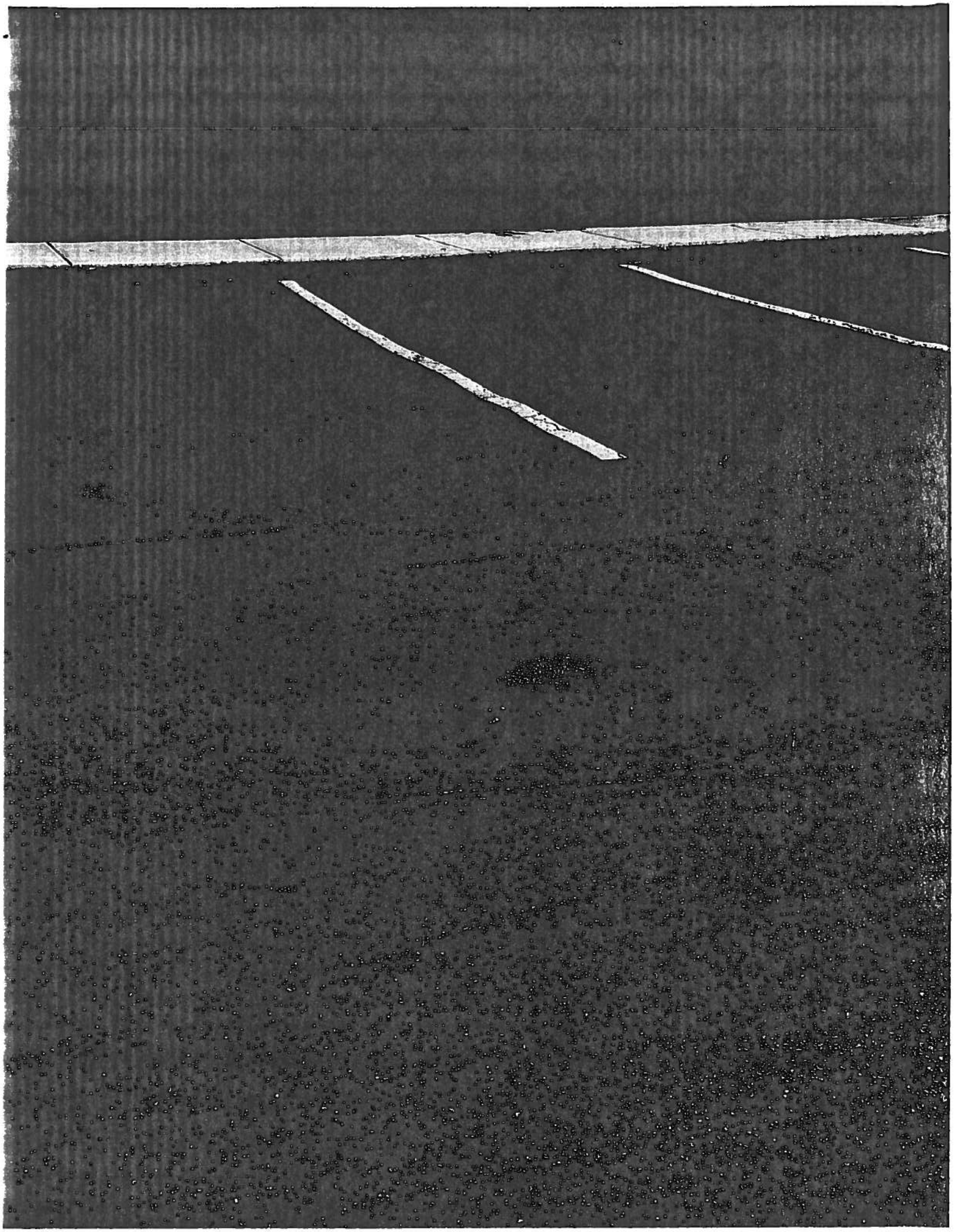
EXHIBIT A