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:	*Cowles, Franklyn J. v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Franklyn J. Cowles 132 Nantucket Drive East Cheektowaga, New York 14225
Claimant's attorney:	Joshua I. Ramos, Esq. Ramos & Ramos 37 Franklin Street, Suite 1110 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.

STATE OF NEW YORK
COUNTY OF ERIE

FRANKLYN J. COWLES

CLAIM

Claimant/Plaintiff,

-vs.-

COUNTY OF ERIE

Respondent/ Defendant.

TO: COUNTY OF ERIE

The Claimant/Plaintiff 1, FRANKLYN J. COWLES, for his claim of action against COUNTY OF ERIE, herein alleges upon information and/or knowledge and/or belief:

1. That at all times hereinafter mentioned, the Mr. Cowles, was and still is a resident of the County of Erie and State of New York and resides at 132 Nantucket Drive East, Cheektowaga, NY 14225.

2. RAMOS & RAMOS, whose address is below, represents FRANKLYN J. COWLES.

3. This claim arises from an incident that occurs on or about August 11, 2014 at or around 7:44pm. The claim occurred on the Interstate 90 east bound entrance ramp from westbound Route 33 Expressway.

4. COUNTY OF ERIE (hereinafter referred to as "County") has knowledge of this entrance way, the proscribed speed limit and is currently responsible for determining the speed limits on same which a driver can safely drive an automobile on same.

5. The County has placed caution speed signs on the highway, control/limit the speed of the exit/entrance way, maintain and inspect the highway, as well as take precautionary measures to prevent accidents to motor vehicles upon the highway.

6. The County has had notice that the speed limits, design of, and/or maintenance of the roadway presents a hazard to motorcyclists whom use the specified roadway/highway.

7. The County has failed to warn of this danger, take preventative measures, reduce the speed limit and/or inspect and maintain this specified roadway.

8. As a result of this negligence, Frankly J. Cowles was caused to have a one car accident, losing control of his motorcycle and having a serious injury; including but not limited to, broken bones and head trauma.

9. As a result of the aforementioned negligence, carelessness and/or recklessness of defendant, the Claimant has sustained a serious injury, has sustained great conscious pain and suffering, has incurred medical and hospital expenses, has suffered a loss of enjoyment of life, all to her damage, plus interest, costs and disbursements of this suit herein and for such other relief as this Court may deem just and proper.

WHEREFORE, Claimant/Plaintiff demands judgment against the defendant, COUNTY, for:

1. Actual and compensatory damages a sum in excess of the jurisdictional limits of all lower courts;

2. Interest, costs and disbursements incurred in bringing the instant claim;

3. For such other and further relief as this Court may deem just and proper.

DATED: November 3, 2014
Buffalo, NY

RAMOS & RAMOS

JOSHUA I. RAMOS, ESQ.
Attorney for Plaintiff
37 Franklin Street, Suite 3C
Buffalo, NY 14202
(716) 810-6140

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

FRANKLYN J. COWLES, being duly sworn deposes and says that I am the lead Plaintiff in this action, that I have read the foregoing CLAIM/NOTICE OF CLAIM and know the contents thereof; that the same is true to my knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

FRANKLYN J. COWLES

Sworn to before me this 3rd
day of November, 2014.

Notary Public

JOSHUA I. RAMOS
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires Sept. 6, 2015