(1)

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

January 14, 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:	*Sisler, Lindsay v. City of Buffalo and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Lindsay Sisler 91 Bloomfield Avenue Depew, New York 14043
Claimant's attorney:	Jacob A. Piorkowski, Esq. Shaw & Shaw, P.C. 4819 South Park Avenue Hamburg, New York 14075

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker (dld)
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Enc.

RECEIVED
JAN - 3 2014
ERIE COUNTY
DEPARTMENT OF LAW

LINDSAY SISLER
91 Bloomfield Avenue
Depew, NY 14043

Claimant

vs.

CITY OF BUFFALO, NEW YORK
and COUNTY OF ERIE

Respondents

NOTICE OF CLAIM

This paper received at
Erie County Clerk's Office
on the 6 day of Jan 2014
at a.m. p.m.
by
Deputy Clerk

TO: CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

COUNTY OF ERIE
69 Delaware Avenue, Suite 300
Buffalo, New York 14202

PLEASE TAKE NOTICE, that the Claimant claims damages against the respondents in accordance with the requirements of General Municipal Law Section 50-e, states as follows:

FIRST: The name and address of the Claimant is as follows:

LINDSAY SISLER
91 Bloomfield Avenue
Depew, NY 14043

SECOND: The Claimant is represented herein by:

SHAW & SHAW, P.C.
Jacob A. Piorkowski, Esq., of counsel
4819 South Park Avenue
Hamburg, New York 14075

THIRD: The claim is one founded in negligence, and is for personal injuries.

FOURTH: This is a claim for money damages for personal injuries sustained by the claimant against the respondents when said claimant was caused to fall on property and premises more specifically, the sidewalk adjacent to 140 Hodge Street, Buffalo, New York located at or near the exit commonly known as the 140 Hodge Street exit of Women & Children's Hospital of Buffalo, which property is under the possession, control and ownership of the respondents. See photographs of the area where claimant fell which are attached hereto.

FIFTH: The time when the claim arose and the time when injuries and damages herein alleged were sustained was December 17, 2013 between 11:30 a.m. and noon.

SIXTH: The incident occurred in the area commonly known as the sidewalk adjacent to the exit commonly known as the 140 Hodge Street exit of Women & Children's Hospital of Buffalo in Buffalo, Erie County, New York which is under the possession, control and ownership of the respondents. See photographs of the area where claimant fell which are attached hereto.

SEVENTH: That the cause of action which forms the substance of this claim arose in the following manner:

> On or about December 17, 2013, the claimant was on the sidewalk adjacent to the exit known as the 140 Hodge Street exit of Women & Children's Hospital in Buffalo, New York when she was caused to slip and fall as the result of a dangerous condition, causing claimant to come into contact with the ground, and seriously injuring herself.

EIGHTH: That the aforesaid incident and the injuries and damages resulting therefrom occurred by reason of the fault, neglect, and carelessness of the respondents, their agents, servants and/or employees and that said respondents failed to properly, adequately, and safely maintain the aforesaid premises; failed to properly and adequately supervise and control the area where claimant fell on the date of the incident;

carelessly and negligently designed the area on said premises where the incident occurred; failed to take the necessary steps to clear ice and snow from common walkways and, upon information and belief, respondents, their agents, servants and employees failed to take the necessary steps and make the necessary observations, which, if taken or made, would have avoided the said incident; and in that the respondents, their agents, servants and/or employees were otherwise careless and negligent.

NINTH: By reason of the aforesaid, the claimant sustained severe, painful and permanent injuries in and about the back, left wrist and left shoulder sustaining, among other injuries, broken bones in the left wrist; and was otherwise rendered sick, sore, lame and disabled; was caused to incur and spend large sums of money for hospital care, surgical care, physicians' services, nursing care, X-rays and medical supplies, for which the exact amount of such expenses cannot be determined at the present time.

WHEREFORE, the claimant respectfully prays and requests that these claims, as set forth herein, be paid and allowed by the respondents.

DATED: December 23, 2013
Hamburg, New York

SHAW & SHAW, P.C.

Jacob A. Piorkowski
Attorneys for Claimant
Office and Post Office Address
4819 South Park Avenue
Hamburg, New York 14075
(716) 648-3020 Telephone
(716) 648-3730 Telecopier
jpiorkowski@shawlawpc.com

VERIFICATION

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

Lindsay Sisler, being duly sworn, deposes and says that (s)he is the plaintiff in the within action; that (s)he has read the foregoing and knows the contents thereof; that the same is true to her/his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.

Lindsay Sisler

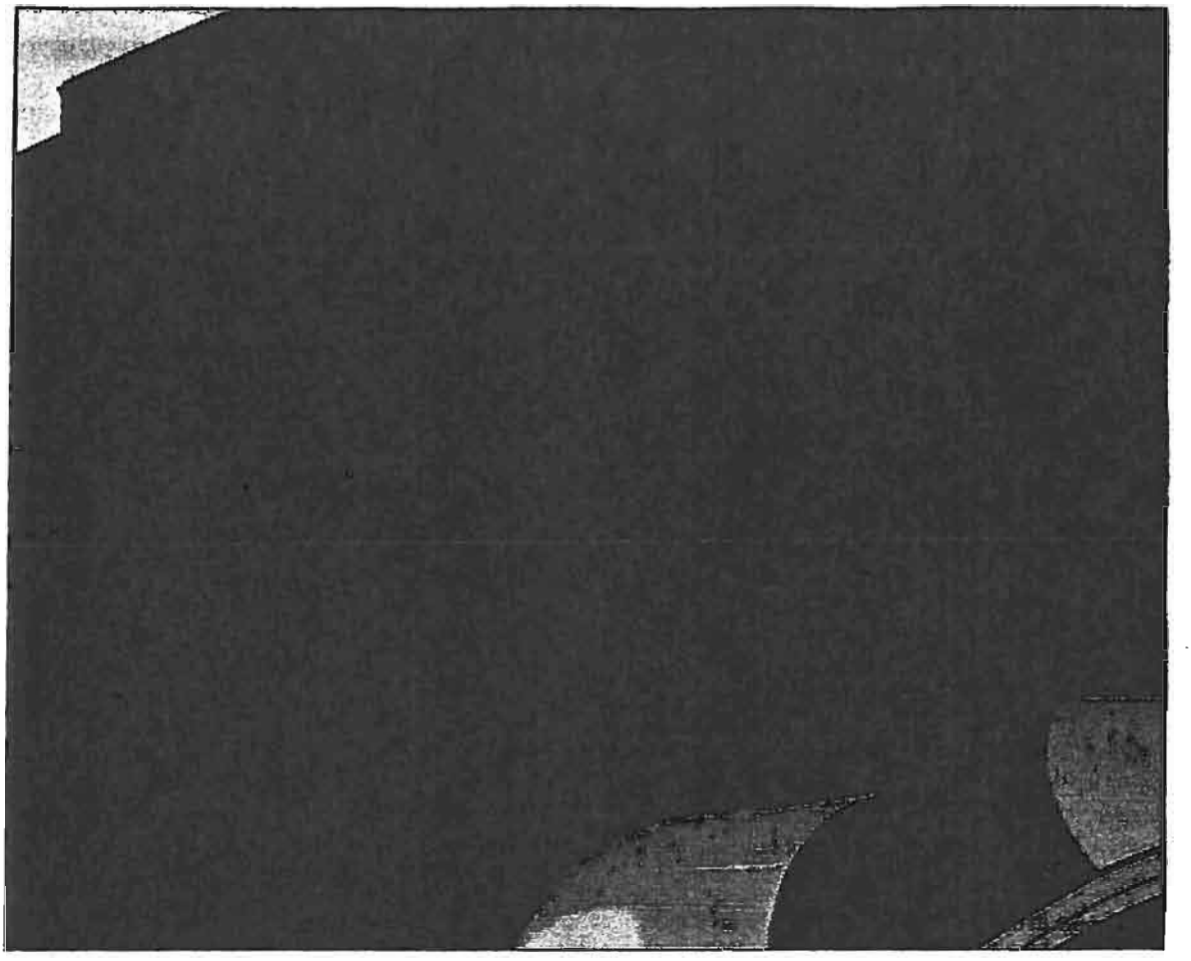
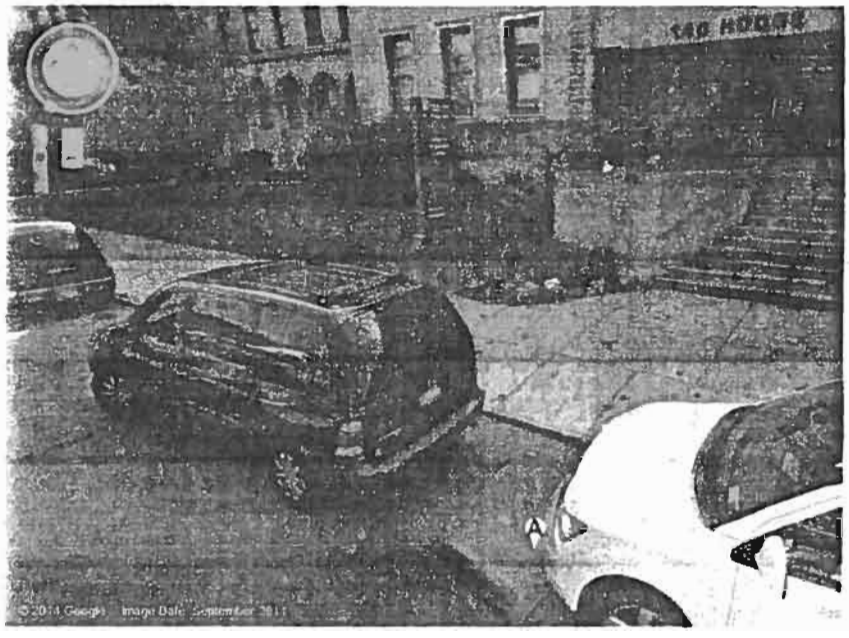
Sworn to before me this
23 day of December 2013

Notary Public

JACOB A. PIORKOWSKI
Notary Public, State of New York
No. 02PI6246952
Qualified in Erie County
Commission Expires: August 22, 2013

Google

Address is approximate



To see all the details that are visible on the screen, use the "Print" link next to the map.