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

January 28, 2015

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:	*Kuhnle, James and Annette v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	James and Annette Kuhnle 290 Lawrence Woods Orchard Park, New York 14217
Claimant's attorney:	Michael D. Braisted, Eq. 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 M. Parker
First Assistant County Attorney

MMP:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

RECEIVED
JAN 13 2015
ERIE COUNTY
DEPARTMENT OF LAW

JAMES KUHNLE and ANNETTE KUHNLE

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: James and Annette Kuhnle, 290 Lawrence Woods, Orchard Park, New York 14217
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 and violation of New York State Labor Law §§ 200 and 241.
4. The time when, place where, and manner in which the Claim arose: On October 13, 2014 Mr. Kuhnle was working on the installation of a fire hydrant situated next to the on ramp connecting eastbound Sheridan Drive (NYS Rt. 324) with southbound Transit Road (NYS Rt. 78) in the town of Amherst, New York. While so engaged, the trench in which he was working collapsed on top of him, trapping him until he was extricated by his co-workers.
5. As a result of this incident, Mr. Kuhnle suffered physical, emotional and psychological injuries of presently indeterminate severity and duration, more specifically injury to his neck, back, shoulder, arm and leg, and has incurred special damages by way of medical expenses and loss of income, which upon information and belief he will continue to accrue in the future. As a result of his injuries, Mrs.

Kuhnle has been deprived of her husband's services, society, companionship and consortium, and upon information and belief, will continue to be so deprived for a presently indeterminate time in the future.

DATED: January 12, 2015

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)

JAMES KUHNLE, 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.

James Kuhnle

JAMES KUHNLE

Sworn to before me this
12 day of January, 2015

Karen L Perillo

Notary Public

KAREN L. PERILLO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 03/18/20 17
Reg# 01PE5278053

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)

) ss.:

COUNTY OF ERIE)

ANNETTE KUHNLE, 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.

Annette K. Kuhnle
ANNETTE KUHNLE

Sworn to before me this
12 day of December 2014

Karen L. Perillo
Notary Public

KAREN L. PERILLO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 03/18/2017
Reg# [illegible]