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

February 6, 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:	*Ulrich, Carlton v. County of Erie and Town of Amherst*
Document Received:	Notice of Claim
Name of Claimant:	Carlton Ulrich 387 Randwood Drive Williamsville, New York 14221
Claimant's attorney:	Rodger P. Doyle, Jr. Esq Kenney Shelton Liptak Nowak, LLP The Calumet Building 233 Franklin 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.

CARLTON ULLRICH
387 Randwood Drive
Williamsville, New York,

Claimant,

-vs-

COUNTY OF ERIE
92 Franklin Street
Buffalo, New York 14202

and

TOWN OF AMHERST,
5583 Main Street
Williamsville, NY 14221

Respondents.

NOTICE OF CLAIM

RECEIVED
FEB - 4 2015
ERIE COUNTY
DEPARTMENT OF LAW

PLEASE TAKE NOTICE, that the Claimant, CARLTON ULLRICH, has and hereby intends to file a Claim against the COUNTY OF ERIE and TOWN OF AMHERST, and in support of said claim states the following:

1. The address of the Claimant, CARLTON ULLRICH, is 387 Randwood Drive, Williamsville, New York 14221.

2. The attorney for the Claimant is Rodger P. Doyle, Jr., Esq., of KENNEY SHELTON LIPTAK NOWAK LLP, The Calumet Building, 233 Franklin Street, Buffalo, New York 14202, Telephone: (716) 853-3801.

3. The Claim arose as follows: On or about November 6, 2014 the Claimant, CARTON ULLRICH, sustained personal injuries when he fell on a broken, jagged metal drainpipe protruding from the ground on land abutting Hopkins Road, designated as Erie County Route 87, at or near the intersection of Hopkins Road and Randwood Drive in Amherst, New

York. Upon information and belief, Hopkins Road and the parcel of land immediately adjacent to it which contained the drainpipe are owned, maintained, and controlled by the COUNTY OF ERIE and TOWN OF AMHERST. Photographs of the condition causing Claimant to fall are attached hereto as **Exhibit A.**

4. The Claim of CARTON ULLRICH is for personal injuries and pain and suffering, including, without limitation, being rendered sick, sore, lame, and disabled. Specifically, Claimant sustained severe lacerations to his leg resulting in severe, chronic infection, hives, inflammation, swelling, pain, scarring, disfigurement, and permanent disability to his leg. As a result of his injuries, Claimant has also incurred a loss of income and medical expenses. Photographs of the injuries to Claimant's leg are attached as **Exhibit B.**

5. Upon information and belief, the incident herein described, and the resultant injuries and damages sustained, were caused as a result of negligence, carelessness, and reckless conduct on the part of the Respondents, COUNTY OF ERIE and TOWN OF AMHERST and/or their agents, servants, and employees, in creating the condition of the jagged edge of the drain pipe which caused Claimant's injuries.

WHEREFORE, Claimant, CARLTON ULLRICH, requests that the Respondents, COUNTY OF ERIE and TOWN OF AMHERST compensate him for his injuries.

DATED: Niagara Falls, New York
January 30, 2015

KENNEY SHELTON LIPTAK NOWAK LLP

By: Roger P Doyle

Rodger P. Doyle, Jr., Esq.
Attorneys for Claimant
The Calumet Building
233 Franklin Street
Buffalo, New York 14202
Telephone: (716) 853-3801

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) SS.:
CITY OF BUFFALO)

CARLTON ULLRICH, being duly sworn, says: I am the Claimant in the above entitled matter; I have read the foregoing Notice Of Claim and know its contents; the same is true to my own knowledge, except to those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

CARLTON ULLRICH

Sworn to before me this
30 day of January, 2015

Notary Public

RODGER P. DOYLE, JR.
Notary Public, State of New York
Qualified in Erie County
Registration No. 02DO4695700
My Commission Expires April 27, 2016