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FACSIMILE AND E-MAIL SERVICE NOT ACCEPTED

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Alan L. Bernstein

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Thanon Rezvi
Rea M. Roxas

April 24, 2026

VIA CERTIFIED U.S. MAIL

Erie County Water Authority
295 Main Street, Room 350
Buffalo, NY 14203

Re: MD Usama Chowdhury, 02/04/2026

Dear Sir or Madam:

Enclosed herewith for service, please find two (2) copies of the Notice of Claim regarding the above-referenced matter.

Thank you.

Very truly yours,

ANDREWS, BERNSTEIN & MARANTO, PLLC



Shelby Stroehlein
Paralegal

:cis
Enc.

**STATE OF NEW YORK
SUPREME COURT : ERIE COUNTY**

MD USAMA CHOWDHURY
125 Currier Ave
Sloan, New York 14212

Claimant,

-against-

NOTICE OF CLAIM

TOWN OF CHEEKTOWAGA
3301 Broadway Street
Cheektowaga, NY 14227

CHEEKTOWAGA SANITARY SEWER DEPARTMENT
200 Southern Parkway
Cheektowaga, NY 14225

CHEEKTOWAGA ENGINEERING DEPARTMENT
275 Alexander Avenue
Cheektowaga, NY 14211

CHEEKTOWAGA HIGHWAY DEPARTMENT
3145 Union Rd
Cheektowaga, NY 14227

VILLAGE OF SLOAN
425 Reiman Street
Sloan, NY 14212

VILLAGE OF SLOAN WATER & SEWER DEPARTMENT
425 Reiman Street
Sloan, NY 14212

ERIE COUNTY WATER AUTHORITY
295 Main Street, Room 350
Buffalo, NY 14203

Respondents.

PLEASE TAKE NOTICE, that the Claimant, MD USAMA CHOWDHURY
(hereinafter referred to as "Claimant"), hereby intends to file a claim against TOWN OF

CHEEKTOWAGA, CHEEKTOWAGA SANITARY SEWER DEPARTMENT, CHEEKTOWAGA ENGINEERING DEPARTMENT, CHEEKTOWAGA HIGHWAY DEPARTMENT, VILLAGE OF SLOAN, VILLAGE OF SLOAN WATER & SEWER DEPARTMENT and ERIE COUNTY WATER AUTHORITY, (hereinafter “Respondents”), and in support of said Claim states the following:

1. The Post Office address of the Claimant is 125 Currier Avenue, Sloan, New York, 14212.

2. The Claimant’s attorneys are Andrews, Bernstein & Maranto, PLLC; 420 Franklin Street, Buffalo, New York 14202; Telephone: (716) 842-2200.

3. The Claim arose as follows: On or about February 4, 2026, at approximately 9:45 p.m., Claimant was involved in a single motor vehicle accident at or near 2775 Broadway in the Town of Cheektowaga, County of Erie, State of New York, when his vehicle was caused to slide and subsequently collide with a snow embankment due to flooding and a build-up of ice on the roadway caused by a water main break.

4. This incident was caused by the negligence, carelessness, and recklessness of Respondents, their agents, servants, and/or employees, as follows:

- a. Failing to abide by the applicable sections of the New York Codes, Rules and Regulations, specifically NY CLS High § 139;
- b. Failing to abide by the applicable provisions of the Village of Sloan Code (§ 205-5 “Construction inspections” and § 360-30 “Inspections”);
- c. Failing to use reasonable care in installing, maintaining, inspecting, and controlling the water and sewer systems;
- d. Failing to adequately and timely respond to a water main break that resulted in

formation of ice on public roadways;

- e. Failing to take proper preventative action in the installing, maintaining, and controlling of said sewer system so as to avoid collision and injuries with vehicles on the public roadways;
- f. Engaging in affirmative actions that created the water main break;
- g. Failing to take reasonable efforts to inspect and repair the water system when there was constructive notice of defect;
- h. Failing to see what was there to be seen;
- i. Negligent hiring, training, supervising, and employment, and;
- j. Respondents, their agents, servants, or employees were otherwise negligent.

5. By virtue of the negligence, carelessness, and recklessness of Respondents, their agents, servants, and/or employees, Claimant, was caused to suffer serious, significant, and permanent injuries including, but not limited to, neck pain, back pain, and left shoulder pain.

6. Claimant also suffered other injuries and complications as yet to be determined as a result of this incident. Claimant sustained damages in an amount which cannot be reasonably calculated at this time. This Claim is for personal injuries, conscious physical and emotional pain and suffering, medical expenses, and consequential damages.

7. By virtue of the negligence, carelessness, and recklessness of Respondents, their agents, servants, and/or employees, Claimant has also incurred medical expenses and other necessary related expenses, the amount of which is undetermined to date.

8. Upon information and belief, the water main break and subsequent flooding of the public roadway was created by Respondents, their agents, servants, and/or employees due to an affirmative negligent action. Therefore, Claimant is not required to provide proof of prior written

notice.

WHEREFORE, Claimant requests that Respondents timely accept, adjust, and resolve Claimant's Claim for injuries.

DATED: April 24, 2026
Buffalo, New York

By: /s/ Thanon Rezvi
Thanon Rezvi, Esq.
ANDREWS, BERNSTEIN & MARANTO, PLLC
Attorneys for Claimant
420 Franklin Street
Buffalo, New York 14202
(716) 842-2200

VERIFICATION

STATE OF NEW YORK :
COUNTY OF ERIE : ss.
CITY OF BUFFALO :

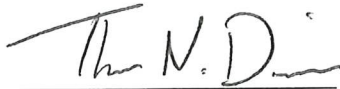
MD USAMA CHOWDHURY, being duly sworn, deposes and says that he is the Claimant in the above-captioned matter; that he has fully read the foregoing Notice of Claim knows the contents thereof; that the same is true to the best knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, he believes them to be true.



MD USAMA CHOWDHURY

Sworn to before me this 24th day of

April, 2026



Notary Public





ANDREWS, BERNSTEIN, & MARANT
Attorneys and Counselors at Law
420 Franklin Street
Buffalo, New York 14202



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Erie County Water Authority
295 Main Street, Room 350
Buffalo, NY 14203

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