

# The Dietrich Law Firm P.C.

101 John James Audubon Parkway, Buffalo, New York 14228

Tel: (716) 839-3939 | Fax: (716) 970-4550

www.CALLJED.com



Joseph (Jed) E. Dietrich, III, Esq.  
President-Admitted in NY, UT and PA  
JED@CALLJED.com

Nicholas J. Shemik, Esq.  
Senior Associate  
NSHEMIK@CALLJED.com

Brian R. Wood, Esq.  
Senior Associate  
BWOOD@CALLJED.com

Rebecca L. Postek, Esq.  
Associate  
RPOSTEK@CALLJED.com

Peggy Wagner  
Executive Paralegal  
PWAGNER@CALLJED.com

Donna Postek  
Office Manager  
DPOSTEK@CALLJED.COM

Paralegals  
Kirsten Cultrara-Haworth  
KCULTRARA@CALLJED.com  
Kayla Vollmer  
KVOLLMER@CALLJED.com

Carmela Gentile  
CGENTILE@CALLJED.com

June 21, 2021

**Via Certified Mail, Return Receipt Requested**

Erie County Water Authority  
**Attn: Corporation Counsel**  
295 Main Street  
Buffalo, New York 14203

**Re: Jackson vs. Erie County Water Authority**

Dear Sir/Madam:

Please be advised that this firm represents LaVerne Jackson. Please see enclosed for service upon the Erie County Water Authority an original and a copy of the Notice of Claim.

I thank you for your anticipated cooperation.

Very truly yours,

/s/ Brian Wood

Brian R. Wood, Esq.  
The Dietrich Law Firm, P.C.

BRW:ko:enc  
cc: Ms. LaVerne Jackson

**SERIOUS • PERSONAL • INJURY**

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

**LAVERNE JACKSON,**

Claimant,

**NOTICE OF CLAIM**

VS.

**CITY OF LACKAWANNA, ERIE COUNTY and  
THE ERIE COUNTY WATER AUTHORITY**

Respondents.

\*\*\*\*\*

**PLEASE TAKE NOTICE** that the above-named claimant claims and demands from the County of Erie in the State of New York, The Erie County Water Authority, and the City of Lackawanna in the State of New York recompense for personal injuries sustained by claimant by reason of the wrongful, unlawful, negligent and careless acts and omissions of respondents, their agents, servants and/or employees, and in support thereof claimant states:

1. The address of the claimant is [REDACTED]

[REDACTED]

2. The claimant is represented by The Dietrich Law Firm P.C., 101 John James Audubon Parkway, Buffalo, New York 14228 (716) 839-3939.

3. The incident in which personal injuries were sustained by the claimant occurred on or about June 1, 2021 at approximately 5:00 p.m. when Ms. Jackson tripped and fell in an open hole and/or uncovered sewer piping and/or

uncovered fire hydrant line in the sidewalk in front of 151 Center Street in the City of Lackawanna, County of Erie, State of New York.

4. Attached hereto and made a part hereof is a photograph of the hole in the condition it was in on June 1, 2021.

5. It is the responsibility of the County of Erie to maintain the sidewalk and/or sewer piping and/or fire hydrant lines at or near 151 Center Street in the City of Lackawanna, County of Erie, State of New York.

6. It is the responsibility of Erie County Water Authority to maintain the sidewalk and/or sewer piping and/or fire hydrant lines at or near 151 Center Street in the City of Lackawanna, County of Erie, State of New York

7. It is the responsibility of the City of Lackawanna to maintain the sidewalk and/or sewer piping and/or fire hydrant lines at or near 151 Center Street in the City of Lackawanna, County of Erie, State of New York

8. By virtue of the recklessness and/or negligence of the employees, agents and/or servants of the County of Erie and/or the Erie County Water Authority and/or the City of Lackawanna, the claimant has incurred medical and hospital expenses, which are to date undetermined, and will incur loss of earnings, impairment of health and permanent injuries.

9. Upon information and belief, claimant will be obligated further medical expenses including drugs, medicines and prosthetic devices, the amount of which cannot be reasonably calculated at this time.

**TAKE NOTICE** that claimant demands payment of her claim as set forth above.

Dated: June 2, 2021

**THE DIETRICH LAW FIRM P.C.**

By: 

**Brian R. Wood, Esq.**  
Attorneys for Claimant  
101 John James Audubon Parkway  
Buffalo, New York 14228  
(716) 839-3939

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

LA VERNE JACKSON,

Claimant,

VERIFICATION


VS.

CITY OF LACKAWANNA, ERIE COUNTY and  
THE ERIE COUNTY WATER AUTHORITY

Respondents.

\*\*\*\*\*

LA VERNE JACKSON, being duly sworn, deposes and says, that the deponent is the Claimant in the within action; that the deponent has read the foregoing Notice of Claim and know the contents hereof; that the same is true to the deponent's knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes them to be true.

  
LA VERNE JACKSON

Sworn to before me this 11<sup>th</sup> day  
Of June, 2021

  
NOTARY PUBLIC

SARAH VANTINE  
Notary Public, State of New York  
Qualified in Erie County  
Reg. No. 01VA6410359  
My Commission Expires 10/19/2024



