

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Claim of

NOTICE OF CLAIM

APRIL LUDLOW, Individually and as Parent
and Natural Guardian of DN, an Infant

Claimants,

- against -

CITY OF LACKAWANNA NEW YORK, CITY
OF LACKAWANNA DEPARTMENT OF
PUBLIC WORKS, ERIE COUNTY, ERIE
COUNTY WATER AUTHORITY

Respondents.

WASO
JUL - 9 2021
2:30 pm
ERIE COUNTY WATER AUTHORITY

TO: CITY OF LACKAWANNA NEW YORK
714 Ridge Road
Lackawanna, NY 14218

CITY OF LACKAWANNA
DEPARTMENT OF PUBLIC WORKS
714 Ridge Road, Room 311
Lackawanna, NY 14218

ERIE COUNTY
Edward A. Rath County Office Building
95 Franklin Street, 16th Floor
Buffalo, NY 14202

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

PLEASE TAKE NOTICE, that APRIL LUDLOW, Individually and as Parent and Natural Guardian of DN, an Infant, has and hereby makes claim against the CITY OF LACKAWANNA NEW YORK, CITY OF LACKAWANNA DEPARTMENT OF PUBLIC WORKS, ERIE COUNTY and ERIE COUNTY WATER AUTHORITY, and in support of said claim states the following:

1. The Post Office address of the claimants is 143 Franklin Street, Lackawanna, New York 14218.

2. The attorneys for the claimants are LIPSITZ GREEN SCIME CAMBRIA LLP, and their Post Office address is 42 Delaware Avenue, Suite 120, Buffalo, New York 14202-3924.

3. The claim of infant claimant, DN, is for personal injuries, including without limitation, medical expenses, and for consequential damages generally; and the claim of APRIL LUDLOW is for loss of income, loss of services, society, companionship and consortium as a result of her child's injuries, and for consequential damages generally.

4. The claim arose at or near 143 Franklin Street, located in the City of Lackawanna, County of Erie and State of New York.

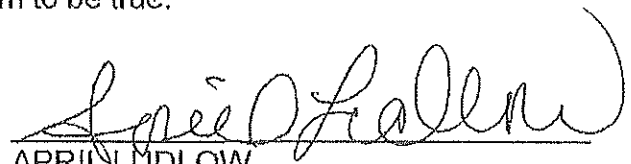
5. The claim arose in substance as follows: On the 21st day of May, 2021, at approximately 5:30 p.m., while lawfully and properly traversing the area in front of the aforesaid premises, the infant claimant, DN, was caused to step onto hot asphalt, resulting in serious injuries to the claimant.

6. Upon information and belief, the incident herein described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, recklessness and/or unlawful conduct on the part of the agents, servants and/or employees

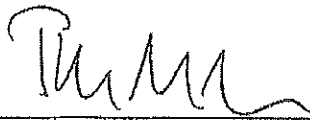
VERIFICATION

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

APRIL LUDLOW, being duly sworn, deposes and says that she is the claimant, above named; and makes this claim on behalf of herself and her infant son, DN; she has read the foregoing NOTICE OF CLAIM and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, she believes them to be true.


APRIL LUDLOW

Sworn to before me on this
2nd day of July, 2021.



Notary Public

THOMAS M. MERCURE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 17, 2023