

STATE OF NEW YORK  
SUPREME COURT: COUNTY OF ERIE

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JULISSA RIVERA  
155 Busti Ave Apt 202  
Buffalo, NY 14201

Claimant,

**NOTICE OF CLAIM**

vs.

ERIE COUNTY WATER AUTHORITY  
295 Main St #350,  
Buffalo, NY 14203

Respondent.

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**PLEASE TAKE NOTICE**, that the Claimant, JULISSA RIVERA, hereby intends to file a claim against the ERIE COUNTY WATER AUTHORITY, and in support of said claim states the following:

1. The Post Office address of the Claimant, JULISSA RIVERA is 155 Busti Avenue, Apt 202 Buffalo, NY 14201
2. The attorneys for the Claimant are Andrews, Bernstein, Maranto & Nicotra, PLLC, 420 Franklin Street, Buffalo, New York 14202, Telephone (716) 842-2200.
3. The Claim arose as follows: On June 3<sup>rd</sup>, 2023, Claimant JULISSA RIVERA, was walking past 5025 Southwestern Blvd, when she was caused to fall on raised concrete on or about 5025 Southwestern Boulevard, Hamburg, New York 14075, see attached **Exhibit A**.
4. Upon information and belief, the ERIE COUNTY WATER AUTHORITY owns, controls, maintains, does construction work on, and/or regularly inspects the sidewalk in front of 5025 Southwestern Blvd, Hamburg, New York 14075.
5. This incident was caused by the negligence, carelessness, and recklessness of the ERIE COUNTY WATER AUTHORITY, and/or their agents, servants and/or employees as follows:

- a. Negligently creating or maintaining a dangerous condition in the subject area, to wit: failing to properly caution and/or failing to warn the Claimant of the dangerous and hazardous conditions in the subject area;
- b. Negligently failing to maintain the sidewalk and subject area in a reasonably safe condition;
- c. Negligently failing to recognize a known dangerous and hazardous condition;
- d. Negligently failing to take proper measures to correct the dangerous and hazardous condition regarding the sidewalk and the subject area;
- e. Negligent inspection and maintenance of the sidewalk and the subject area;
- f. Negligent supervision of the sidewalk and the subject area; and,
- g. The Respondents were otherwise negligent;

6. This Claim is for personal injuries, conscious physical and emotional pain and suffering of Claimant, JULISSA RIVERA, as well as medical expenses and consequential damages incurred by Claimant, JULISSA RIVERA.

7. By virtue of the negligence and carelessness of the ERIE COUNTY WATER AUTHORITY, Claimant JULISSA RIVERA was caused to suffer serious, significant and permanent injuries, including but not limited to her bilateral arms, back, left hip, and bilateral legs due to this incident. Claimant JULISSA RIVERA also suffered other injuries and complications as yet undetermined as a result of this accident and, and by reason of the same, Claimant, JULISSA RIVERA, sustained damages in an amount which cannot be reasonably calculated at this time.


8. By virtue of the negligence and carelessness of the ERIE COUNTY WATER AUTHORITY, Claimant, JULISSA RIVERA, has also incurred hospital and medical expenses and other necessary related expenses, the amount of which is undetermined to date.

**WHEREFORE**, Claimant, JULISSA RIVERA, requests that the ERIE COUNTY WATER AUTHORITY compensate her for her injuries and loss.

Dated: Buffalo, New York  
September 28, 2023

Yours, etc.,

**ANDREWS, BERNSTEIN, MARANTO & NICOTRA, PLLC**

By:   
Amanda N. Blum, Esq  
**Attorney for Claimant**  
420 Franklin Street  
Buffalo, New York 14202  
(716) 842-2200

# EXHIBIT A



VERIFICATION

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

AMANDA BLUM, being duly sworn, affirms and says that she is the representative of the Claimant in this action for himself; that she has read the foregoing Notice of Claim in this action and knows the contents thereof; that the same is true to the knowledge of affirmant, except as to the matters there in stated to be alleged on information and belief, and that as to those matters, he believes them to be true.

  
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AMANDA BLUM

Sworn to before me this 30<sup>th</sup> day of  
November, 2023

  
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Notary Public

