
In the Matter of the Claim of

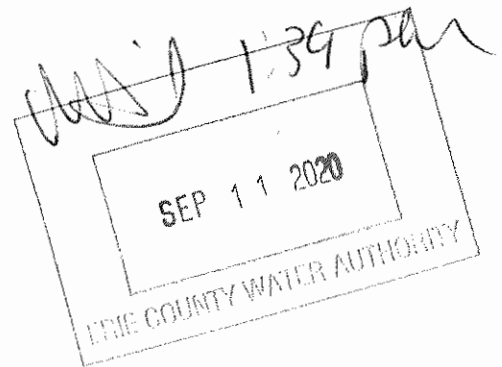
JANAY WARE,

Claimant,

- against -

CITY OF LACKAWANNA,
CITY OF LACKAWANNA DEPARTMENT OF
PUBLIC WORKS,
ERIE COUNTY,
and
ERIE COUNTY WATER AUTHORITY.

NOTICE OF CLAIM



TO: CITY OF LACKAWANNA
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 JANAY WARE, has and hereby makes claim against
CITY OF LACKAWANNA, 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 claimant is [REDACTED]

2. The attorneys for the claimant 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 JANAY WARE is for personal injuries, including without limitation, loss of income and medical expenses, and for consequential damages generally.

4. The claim arose at 145 Holbrook 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 20th day of July, 2020, at approximately 1:30 a.m., the claimant, JANAY WARE, while lawfully and properly a guest and invitee at the aforesaid premises, was caused to trip and fall over a water pipe protruding from the front lawn of said premises, 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 of CITY OF LACKAWANNA, CITY OF LACKAWANNA DEPARTMENT OF PUBLIC WORKS, ERIE COUNTY and ERIE COUNTY WATER AUTHORITY, furthermore, the incident and resultant injuries and damages were caused by those acts and omissions of the agents, servants and/or employees of CITY OF LACKAWANNA, CITY OF LACKAWANNA DEPARTMENT OF PUBLIC WORKS, ERIE COUNTY and ERIE COUNTY

WATER AUTHORITY, are in violation of the regulations, rules and standards promulgated thereunder.

7. Upon information and belief, as a result of the aforesaid incident, the claimant, JANAY WARE, sustained severe bodily injuries and was painfully and seriously injured; was rendered sick, sore, lame and disabled; sustained pain and suffering and shock to her nerves and nervous system; and more particularly, JANAY WARE, sustained injuries in the nature of a right ankle fracture. Upon information and belief, these injuries will result in permanent defects.

WHEREFORE, claimant requests that CITY OF LACKAWANNA, CITY OF LACKAWANNA DEPARTMENT OF PUBLIC WORKS, ERIE COUNTY and ERIE COUNTY WATER AUTHORITY honor and pay the claim on behalf of JANAY WARE.

DATED: Buffalo, New York
August 28, 2020



JANAY WARE

LIPSITZ GREEN SCIME CAMBRIA LLP

By: 

THOMAS M. MERCURE, ESQ.

Attorneys for Claimant
Office and P.O. Address
42 Delaware Avenue, Suite 120
Buffalo, New York 14202-3924
(716) 849-1333
[TMM : 67815.0001]


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

JANAY WARE, being duly sworn deposes and says that she is the claimant above named; and makes this claim on behalf of self; she has read the foregoing 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.



JANAY WARE

Sworn to before me on this
8th day of September, 2020.



Notary Public

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