
In the Matter of the Claim of

BRIAN P. WRUBLESKI, Individually and as Executor of the
Estate of MARYELLEN WRUBLESKI, Deceased,

Claimants,

NOTICE OF CLAIM

v.

COUNTY OF OTSEGO and
OTSEGO COUNTY OFFICE OF EMERGENCY SERVICES,

Respondents.

TO: County of Otsego
197 Main Street
Cooperstown, New York 13326

Otsego County Office of Emergency Services
197 Main Street
Cooperstown, New York 13326

PLEASE TAKE NOTICE, that a claim is hereby made against the County of Otsego and the Otsego County Office of Emergency Services pursuant to General Municipal Law Section 50(e) and County Law Section 52, and the following information is furnished pursuant to said sections:

1. The name of the claimant is Brian P. Wrubleski, individually and as Executor of the Estate of Maryellen Wrubleski, Deceased, and his post-office address is 151 Dobbs Hill Road, Cooperstown, New York 13326.
2. The name and post-office address of claimants' attorneys is Melvin & Melvin, PLLC, Susan E. Otto, Esq., of Counsel, 217 South Salina Street, Syracuse, New York 13202; telephone (315) 422-1311.

3. The date and time when the claim hereinafter described arose was December 21, 2013 between approximately 4:45 p.m. and 5:05 p.m.

4. The place where the injuries and death occurred upon which this claim is based was 151 Dobbs Hill Road, Cooperstown, New York 13326.

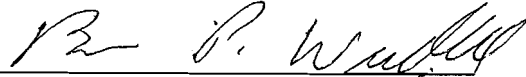
5. The nature of the claim against the County of Otsego and the Otsego County Office of Emergency Services is negligence and wrongful death. The negligence of the County of Otsego and the Otsego County Office of Emergency Services, and/or their employees, servants and agents, consisted of the following acts or omissions that occurred on December 21, 2013 between approximately 4:45 p.m. and 5:05 p.m. and thereafter when Brian P. Wrubleski ("Brian Wrubleski") called 911, at the specific direction and request of his wife Maryellen Wrubleski, to seek an ambulance, paramedics, and/or emergency medical technicians at their house at 151 Dobbs Hill Road, Cooperstown, New York 13326 to render medical treatment or assistance to Maryellen Wrubleski and to save her life: the 911 operator having improperly furnished the ambulance, paramedic and/or paramedic crews and/or ambulance(s) with an incorrect address as to the location of Maryellen Wrubleski, the victim in distress; the failure of the 911 operator to dispatch an ambulance to the proper address; the failure of the 911 operator to direct Brian Wrubleski's call and/or the correct residence address to the proper or appropriate ambulance service or to immediately contact the proper or appropriate ambulance service regarding the call; the failure to have properly trained and/or adequate operators of the emergency phone system on staff when Brian Wrubleski called to seek an ambulance, paramedics, and/or emergency medical technicians at the house at 151 Dobbs Hill Road, Cooperstown, New York 13326 to render medical treatment or assistance to his wife Maryellen

Wrubleski and to save her life; the failure to properly and/or adequately hire, train and supervise the personnel operating the emergency phone system; the failure of the operator of the emergency phone system, who received Brian Wrubleski's call, to listen carefully and to obtain adequate information, including, but not limited to, the address to which the ambulance, paramedics and/or emergency medical technicians were to respond and to listen to the complete address at which emergency assistance was being requested; the failure of said operator to correctly report, record or write down the proper address that Brian Wrubleski gave regarding the location of the individual, his wife, Maryellen Wrubleski, in distress; the failure of the operator to have Brian Wrubleski repeat the address of the location of the emergency or to confirm it; the failure of the operator to make certain that he/she had correctly understood and heard all pertinent information from Brian Wrubleski; assuring Brian Wrubleski that they would properly respond to the emergency call placed by him; the failure to abide by and/or to follow proper procedures and standards when taking and dispatching an emergency call; hiring incompetent employees who were not adequately trained to dispatch emergency distress calls; failing to adequately train the employees in the proper procedures and protocol for dispatching and responding to an emergency distress call; the failure to prevent the conscious pain and suffering and ultimate death of the decedent Maryellen Wrubleski; the failure to staff competent and properly trained personnel; and/or the failure to serve and protect the residents of Otsego County.

6. The injuries and damages sustained by the claimants so far as presently capable of determination are: Maryellen Wrubleski sustained conscious pain and suffering, the fear of impending death, and eventual death; Maryellen Wrubleski's decedents and next of kin have

sustained great pecuniary loss and have incurred hospital, doctor, funeral and burial expenses, and have been deprived of her support, care, subsidy, companionship and consortium.

Date: March 20, 2014



Brian Wrubleski, Individually and as
Executor of the Estate of
Maryellen Wrubleski, Deceased

VERIFICATION

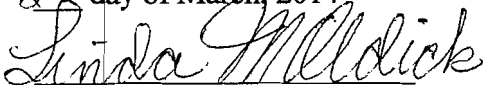
STATE OF NEW YORK)
Otsego) SS.:
COUNTY OF ~~ONONDAGA~~)

BRIAN WRUBLESKI, Individually and as Executor of the Estate of Maryellen Wrubleski, Deceased, being duly sworn, deposes and says that deponent is a Claimant herein. Deponent has read the foregoing Notice of Claim and knows the contents thereof and the same is true to deponent's own knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes them to be true.



Brian Wrubleski, Individually and as
Executor of the Estate of
Maryellen Wrubleski, Deceased

Sworn to before me this
22 day of March, 2014


Notary Public

Linda Oldick
Notary Public, State of New York
Registration #01OL6061466
Commission Expires July 16, 2019