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**NOTICE TO TOWN OF BRISTOL TOWN COUNCIL OF CLAIM AND
DEMAND AGAINST THE TOWN OF BRISTOL, RHODE ISLAND,
PURSUANT TO SECTION 45-15-9 OF THE
GENERAL LAWS OF RHODE ISLAND**

NOTICE TO: **VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED**
ARTICLE NO: 7019-2280-0001-6741-3564

BRISTOL TOWN COUNCIL
BRISTOL TOWN HALL
10 COURT STREET
BRISTOL, RHODE ISLAND 02809

2023 JUL 27 AM 9:18
TOWN CLERK'S OFFICE
BRISTOL, RHODE ISLAND

Pursuant to Section 45-15-9 of the General Laws of Rhode Island, notice is hereby given of injuries and losses sustained due to the loose boards on a certain public way which is in a dangerous condition as a result of the negligence and/or egregious negligence of the municipality of the Town of Bristol, its agents, servants and/or employees in their performance and/or failure to perform governmental and/or proprietary functions.

CLAIMANT: KIMBERLY NOVAK

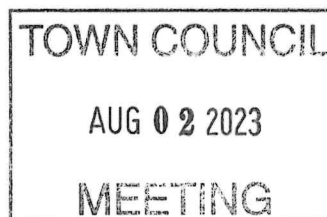
DATE OF INJURY: JULY 8, 2023

TIME OF INJURY: APPROXIMATELY 9:30 PM

TYPE OF INJURY: LEFT RING FINGER FRACTURE, RIGHT SHOULDER PAIN, UPPER BACK PAIN, RIGHT BIG TOE PAIN.

PLACE OF INJURY: THE DOCK/PIER LOCATED AT THE INDEPENDENCE PARK BOAT LAUNCH IN THE VICINITY OF 494 THAMES STREET, BRISTOL.

DESCRIPTION: KIMBERLY NOVAK was a passenger in her husband's boat as it approached the Independence Park Boat Launch/Ramp. As the boat neared the ramp and adjacent dock, Ms. Novak alighted the boat with the intention to tie it to the dock. As Ms. Novak stepped from the boat and onto the dock/pier, several of the dock boards moved, throwing her off balance and causing her to fall, which caused her to sustain injuries. Investigation revealed that several of the dock's boards were loose, appearing either rotted or not sufficiently affixed to the dock structure.



(401) 785-9400
FAX 1: (401) 941-1550
FAX 2: (401) 781-9648

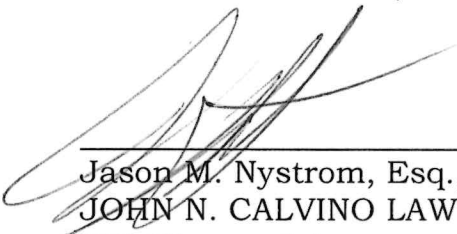
Upon information and belief, the Town of Bristol is liable and legally responsible for the ordinary and/or egregious negligence of its agents, servants and/or employees in causing the injuries of KIMBERLY NOVAK in one or more of the following respect, in that it:

- a) Negligently failed to maintain the dock/pier near the Independence Park Boat Ramp, in the vicinity of 494 Thames Street, for the safety of citizens including KIMBERLY NOVAK; and/or
- b) Negligently enhanced the potential for injuries through neglect by allowing the surface of the dock/pier and surrounding area to remain in a state of unreasonable disrepair and/or rot, reducing traction and/or stableness of the surface for pedestrians and creating a dangerous condition; and/or
- c) Failed to provide warning to pedestrians of said dangerous and/or defective condition.

WHEREFORE, Claimant demands that the Town of Bristol take note of the above-referenced defect/dangerous condition and the incurred expenses and that this notice is provided within the time period provided by R.I.G.L. §45-15-9.

CLAIMANT, KIMBERLY NOVAK
BY HER ATTORNEY,

DATED: July 25, 2023



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