

NOTICE OF CLAIM

2022 OCT 15 11:2

In the Matter of the Claim of

ALIOU B. KOUROUMA and FANTA DIAKITE, as Proposed Administrators
of the Estate of Infant D.K., DECEASED,
ALIOU B. KOUROUMA, Individually and FANTA DIAKITE, Individually.

***Petition for Letters of Administration was filed with
Surrogate Court, Bronx County on August 16, 2022, and issuance
of said Letters is currently pending before the Surrogate.*

TO:

THE CITY OF NEW YORK

New York City Corporation Counsel's Office
100 Church Street
New York, New York 10007

THE CITY OF NEW YORK

Comptroller's Office
Municipal Building, New York 10007

NYC DEPARTMENT OF PARKS & RECREATION

c/o The City of New York, 100 Church Street,
New York, New York 10007

TO:

PLEASE TAKE NOTICE that the undersigned claimants hereby make
claim and demand against you as follows--

1. The name and post office address of each claimant and
claimants' attorneys are:

Claimants

Aliou B. Kourouma
1170 Walton Avenue, Apt. 5D
Bronx, New York 10452

Fanta Diakite
1170 Walton Avenue, Apt. 5D
Bronx, New York 10452

Attorneys

LEAV & STEINBERG, LLP
75 Broad Street, Suite 1601
New York, New York 10004
Tel. No.: 212-766-5222
File No.: 229946

2022 OCT 15 11:25
CITY OF N.Y. LAW DEPT.
OFFICE OF CORP. COUNSEL
MUNICIPAL BLDG. 100 CHURCH ST.
NEW YORK, N.Y. 10007

In The Matter of the Claim of Aliou B. Kourouma and Fanta Diakite, as Proposed Administrators of the Estate of Infant D.K., Deceased, Aliou B. Kourouma, Individually and Fanta Diakite, Individually Claimant,

ATTORNEY: LEAV & STEINBERG LLP

CASE NUMBER:

DATE OF FILING:

vs.

The City of New York, et al Respondent(s).

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Nassau ss:

I, Alexander James, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York.

That on 09/08/2022 at 11:25 AM at 100 Church Street, New York, NY 10007, Deponent served the Notice of Claim upon The City of New York, defendant/respondent/recipient herein.

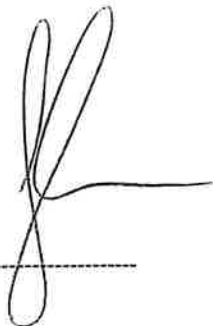
Said service was effected in the following manner;

By delivering to and leaving a true copy to Lemar Reid personally, a person who stated to be an authorized agent to receive process service for The City of New York. Deponent knew said city agency so served to be the city agency described in said Notice of Claim as said defendant/respondent/recipient. Deponent knew the individual accepting service to be an/the Deputy Unit Chief Clerk thereof.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: Male Skin: Brown Hair: Brown Age (Approx): 35 Height(Approx): 5'10" Weight(Approx): 180 lbs Glasses: No Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me this September 9 2022



Alexander James License No. 1438821

CRAIG L. EISENBERG NOTARY PUBLIC, STATE OF NEW YORK REGISTRATION NO. 01E16030725 QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES SEPTEMBER 20, 2025

In The Matter of the Claim of Aliou B. Kourouma and Fanta Diakite, as Proposed Administrators of the Estate of Infant D.K., Deceased, Aliou B. Kourouma, Individually and Fanta Diakite, Individually Claimant,

ATTORNEY: LEAV & STEINBERG LLP

CASE NUMBER:

DATE OF FILING:

vs.

The City of New York, et al Respondent(s).

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Nassau ss:

I, Alexander James, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York.

That on **09/08/2022** at **11:43 AM** at **1 Centre Street, Room 1225 South, New York, NY 10007**, Deponent served the **Notice of Claim** upon **Comptroller of The City of New York**, defendant/respondent/recipient herein.

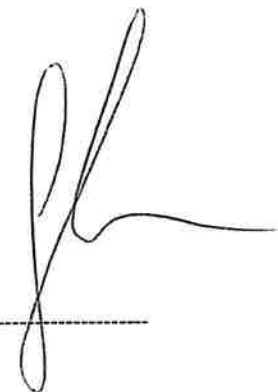
Said service was effected in the following manner;

By delivering to and leaving a true copy to **Lisa Green** personally, a person who stated to be an authorized agent to receive process service for **Comptroller of The City of New York**. Deponent knew said city agency so served to be the city agency described in said **Notice of Claim** as said defendant/respondent/recipient. Deponent knew the individual accepting service to be an/the **Clerk** thereof.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: **Female** Skin: **Brown** Hair: **Brown** Age (Approx): **35** Height(Approx): **5'8"** Weight(Approx): **170-180 lbs** Glasses: **No** Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me this
September 9 2022


Alexander James
License No. 1438821

CRAIG L. EISENBERG
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION NO. 01E16030725
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES SEPTEMBER 20, 2025

In The Matter of the Claim of Aliou B. Kourouma and Fanta Diakite, as Proposed Administrators of the Estate of Infant D.K., Deceased, Aliou B. Kourouma, Individually and Fanta Diakite, Individually Claimant,

ATTORNEY: LEAV & STEINBERG LLP

CASE NUMBER:

DATE OF FILING:

vs.

The City of New York, et al Respondent(s).

AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Nassau ss:

I, Alexander James, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York.

That on 9/8/2022 at 11:25 AM at 100 Church Street, New York, NY 10007, Deponent served the Notice of Claim upon NYC Department of Parks & Recreation, defendant/respondent/recipient herein.

Said service was effected in the following manner;

By delivering to and leaving a true copy to Lemar Reid personally, a person who stated to be an authorized agent to receive process service for NYC Department of Parks & Recreation. Deponent knew said city agency so served to be the city agency described in said Notice of Claim as said defendant/respondent/recipient. Deponent knew the individual accepting service to be an/the Deputy Unit Chief Clerk thereof.

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows: Sex: Male Skin: Brown Hair: Brown Age (Approx): 35 Height(Approx): 5'10" Weight(Approx): 180 lbs Glasses: No Other:

I certify that the foregoing statements made by me are true, correct and my free act and deed. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Sworn to before me this
September 9 2022

Alexander James
License No. 1438821

CRAIG L. EISENBERG
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION NO. 01E16030725
QUALIFIED IN SUFFOLK COUNTY
COMMISSION EXPIRES SEPTEMBER 20, 2025

NOTICE OF CLAIM

In the Matter of the Claim of

ALIOU B. KOUROUMA and FANTA DIAKITE, as Proposed Administrators
of the Estate of Infant D.K., DECEASED,
ALIOU B. KOUROUMA, Individually and FANTA DIAKITE, Individually.

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THE CITY OF NEW YORK

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Comptroller's Office
Municipal Building, New York 10007

NYC DEPARTMENT OF PARKS & RECREATION

c/o The City of New York, 100 Church Street,
New York, New York 10007

TO:

PLEASE TAKE NOTICE that the undersigned claimants hereby make
claim and demand against you as follows--

1. The name and post office address of each claimant and
claimants' attorneys are:

Claimants

Aliou B. Kourouma
1170 Walton Avenue, Apt. 5D
Bronx, New York 10452

Fanta Diakite
1170 Walton Avenue, Apt. 5D
Bronx, New York 10452

Attorneys

LEAV & STEINBERG, LLP
75 Broad Street, Suite 1601
New York, New York 10004
Tel. No.: 212-766-5222
File No.: 229946

2. The nature of the claim:

The nature of the claim is to recover monetary damages for the serious and severe personal injuries, pre-death and awareness of death, conscious pain and suffering, psychological trauma, wrongful death including pecuniary loss, and a cause of action for the grief and loss suffered by the next of kin, as well as including any related medical expenses, burial expense, by claimants ALIOU B. KOUROUMA, the father and natural guardian of infant decedent D.K. and FANTA DIAKITE, the mother and natural guardian of infant decedent D.K., as a result of the negligence, carelessness and recklessness of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION, their servants, agents, and/or employees.

3. The time when, the place where and the manner in which the claim arose:

On or about the 17th day of June 2022 (Friday), at approximately 5:30-5:40PM, infant decedent D.K. was within Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York, when she entered the water, struggled in the water and became submerged, resulting in her pre-death awareness of impending death, her conscious pain and suffering and drowning death.

That prior to her drowning, servants, agents and/or employees of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION directed infant decedent D.K. and her group of friends and pointed in the direction of another area of the beach (where the street numbers increased) where infant decedent and her friends could stay at the shorefront and bathe in the water. There were no proper, adequate, visible or easily delineated signs or other demarcation on the beach to show one area of the beach was closed, designated as a no swimming area and had no lifeguard on duty rather than open. That none of the servants, agents and/or employees of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION asked infant decedent D.K. and her group of friends to leave the beach. That none of the servants, agents and/or employees of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION informed infant decedent D.K. or her group of friends that this area of the beach is closed, designated as a no swimming area and had no lifeguard on duty.

That on the date of the accident and prior to June 17, 2022, that said area of the beach had high wave activity and dangerous

currents. That infant decedent D.K., and several friends, when they entered the water between Beach 109th Street and Beach 108th Street struggled to remain above water and became submerged. That infant decedent D.K. and several friends yelled for help and to be rescued. That none of the lifeguards reached or tried to rescue infant decedent D.K. in the water. That infant decedent D.K. was struggling and became submerged in the water for over fifty (50) minutes and despite yelling and seeking aid, no lifeguard reached infant decedent D.K. during that time. The high wave activity and dangerous currents dragged infant decedent D.K.'s body to Beach 108th Street—where her body was recovered by emergency first responders. That despite actual knowledge that the water at or between Beach 109th Street and Beach 108th Street had high wave activity and dangerous currents, there were no lifeguards stationed to supervise the beach goers and monitor the water in this area of the beach.

That Rockaway Beach is a confusing grid of areas that have closed beaches with no lifeguards due to the erosion project (Atlantic Shorefront Resiliency Project) at said beach without any physical barricades or conspicuously placed and visible signage indicating the beach is closed, designated as a no swimming area and had no lifeguard on duty. That servants, agents and employees of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION failed to ensure any signs and/or signage as to the beach were prominently displayed, at a raised height that could be easily seen by beach goers at eye level when approaching Beach 108th Street. That the sign that was there was positioned too low (affixed to the railing), well below eye level, and was blocked from view by bicycles and/or other objects and/or people congregating in front of the sign.

The aforesaid incident occurred as a result of the negligence of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION, their servants, agents and/or employees, in the ownership, operation, inspection, supervision, maintenance and control of Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York; in that the lifeguard(s) failed to observe infant decedent D.K. in the water in distress; in that the lifeguard(s) were inattentive and inefficient at the time of the incident; in that the lifeguard(s) delay in commencing a search for the infant decedent D.K. was a proximate cause of her death; in that the lifeguard(s) failed to make a distress call at the time of the incident; that the lifeguard(s) failed to evacuate all bathers in the water at the time of the incident; in that the lifeguard(s) failed to conduct a cursory search of the water

for infant decedent D.K. after being notified by her friends and/or other beach goers that she was struggling in the water and/or had become submerged; in that the lifeguard(s) failed to conduct a search for infant decedent D.K. in the water pursuant to New York City Department of Parks and Recreation's Beach Safety Plan; in that the lifeguard(s) failed to supervise and/or effectively supervise the bathers in the water, more particularly infant decedent D.K.; in that it was reasonably foreseeable that inadequate supervision of the bathers in the water by said lifeguard(s) could result in drowning(s) of said bathers in the water, such as the case with infant decedent D.K.; in failing to have a system in place that allowed for reasonable supervision and adequate visual surveillance of the bathers in the water; in that the lifeguard(s) failed to reasonably supervise and maintain adequate visual surveillance of the bathers in the water; in failing to hire and retain experienced lifeguards to supervise the bathers in the water; in failing to train lifeguards on the proper method to supervise the bathers in the water; in failing to have sufficient number of lifeguards given the number of beach goers at the beach on the date of the incident; in failing to have sufficient number of lifeguards at the beach given that NYC Ferry (which docks at Beach 108th Street) and other modes of transportation lead beach goers to Beach 108th Street from street access; in failing to have sufficient number of lifeguards consistent with said beach's characteristics (such as number of beach goers, time of the year, bottom conditions hazardous to bathers, steep beach bottom slope, water depth, bathing area perimeter from shore, etc.); in failing to have certified Supervision Level I staff at the beach on the date of the incident; in failing to have certified Supervising Lifeguard at the beach on the date of the incident; in failing to have one lifeguard for each 50 yards of beach or fraction thereof; in failing to have additional lifeguards at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York, given the beach's characteristics (such as number of beach goers, time of the year, bottom conditions hazardous to bathers, steep beach bottom slope, water depth, bathing area perimeter from shore, etc.), and further, that beach goers tend to congregate in shallow water areas, that peak uses of the beach during warm weather and when school is out for the summer by infants; in failing to have additional lifeguards at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York, given the unseasonably high (over 90 degree) temperatures knowing there would be an increased number of beach goers and bathers in the water on the date of the incident; in failing to

have an adequate number of lifeguards at the beach to provide coverage during breaks, days off and shortages; in that the lifeguards on duty on the date of the accident were not situated in their proper positions (pre-designated) for Rockaway Beach; in that the lifeguards on duty on the date of the accident were not situated in their proper zones of coverage (pre-designated) for Rockaway Beach; in failing to have one lifeguard chair for each 50 yards of supervised beach; in failing to have one lifeguard chair for each 50 yards of beach as specified in the beach safety plan specific for Rockaway Beach; in failing to have lifesaving patrol boats in the water at the beach on the date of the accident; in failing to have offshore lifesaving stations in the water at the beach on the date of the accident; in failing to properly position and place lifeguard chairs at the beach so as to compensate for glare and blind spots of bathers in the water; in failing to properly position and place lifeguard chairs so as to provide complete surveillance coverage of the beach area and bathers in the water; in failing to have designated areas of responsibility to position and place lifeguards at the beach to have total visual surveillance of the water and swim area; in failing to increase the number of designated areas of responsibility for lifeguards at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York, given the beach's characteristics, including bather densities and locations; in failing to have proper chair rotation procedures to ensure no interruption in surveillance of the water, swim area and bathers in the water; in failing to have constant patron surveillance of the water, swim area and bathers during rotation procedures and near closing time at the beach on the date of the incident; in that the lifeguards were distracted during rotation procedures and near closing time at the beach on the date of the incident; in that the lifeguards were distracted during rotation procedures and near closing time at the beach and failed to see infant decedent D.K. struggling in the water and become submerged on the date of the incident; in failing to have proper procedures near beach closing times to ensure no interruption in surveillance of the water, swim area and bathers in the water; in that the lifeguard(s) failed to maintain constant surveillance of the water, swim area and bathers in the water during rotations and/or near closing times at the beach on the date of the incident; in failing to have the appropriate number of lifeguards at the beach on the date of the incident to properly supervise the water, swim area and bathers at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York; in failing to hire and retain additional

lifeguards for Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York in June 2022; in failing to hire and retain additional lifeguards for Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York in June 2022 during the erosion project (Atlantic Shorefront Resiliency Project) at said beach; in failing to have proper and adequate procedures to announce the beach was near closing and/or swimming was prohibited due to beach closure in the area of the infant decedent D.K.'s drowning on the date of the accident; in failing to implement a schedule and/or proper schedule for lifeguards at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York to ensure adequate coverage; in failing to ensure implementation of lifeguarding policies and procedures at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York; in having an improper and inadequate response time for the lifeguard(s) from the lifeguard chair to the furthest point within his/her surveillance area at the beach on the date of the incident; in failing to compensate for glare and blind spots in the water, swim area and bathers at the beach on the date of the incident; in failing to have personnel clear and close the beach in a proper manner when there was no lifeguard; in failing to have personnel clear and close the beach in a proper manner during rotation procedures and near closing time; in that the lifeguards at the beach on the date of the incident were distracted for a prolonged period of time; in that the lifeguards at the beach on the date of the incident were distracted for a prolonged period of time that increased the risk of drowning(s) of said bathers in the water; in failing to post signs indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York was closed; in failing to post signs indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York was designated as a no swimming area; in failing to post signs indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York did not have a lifeguard on duty; in failing to physically place barricades indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York was closed; in failing to physically place barricades indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in

Queens, New York was designated as a no swimming area; in failing to physically shutter the entrances at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street; in failing to physically shutter the entrances at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street to prohibit entry by any beach goers to the shorefront or water thereat; by placing physical barricades and physically shuttering certain entrances of Rockaway Beach while keeping other areas open and permitting wide open access by beach goers, respondents THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION created a tacit belief by any reasonable person that Rockaway Beach between Beach 109th Street and Beach 108th Street was open; in failing to post signs indicating the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York did not have a lifeguard on duty; in that signs were not conspicuously posted at street access and/or sidewalk before entering the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York that the beach was closed and swimming prohibited; in that signs were not conspicuously posted anywhere with clear visibility and at eye level to beach goers before entering the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York that the beach was closed and swimming prohibited; in failing to have a no swimming pole with flag at the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York; in failing to inform the beach goers in any manner that the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York was closed, designated as a no swimming area and had no lifeguard on duty; in failing to enforce its own rules and remove beach goers at the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York because said beach was closed, designated as a no swimming area and had no lifeguard on duty; in failing to guide and show beach goers at the beach at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York to a different area at Rockaway Beach, more specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York that did have lifeguards on duty; in creating a false sense of safety and security by directing beach goers to another area of the beach at Rockaway Beach, more

specifically, Shore Front Parkway and between Beach 109th Street and Beach 108th Street, in Queens, New York insinuating that said area was open, a swimming area, lifeguards on duty and within the area of a lifeguard visual area; in causing, permitting and allowing beach goers, including infant decedent D.K. and her friends, to be, become and remain on the shorefront and in the water for several hours without any warning by anyone on behalf of respondents that said area of the beach was closed, designated as a no swimming area and had no lifeguard on duty; in failing to have a staff member with Supervision Level perform regular visual checks of the beach to ensure beach goers did not gather on the shorefront and enter the water in areas where the beach was closed, designated as a no swimming area and had no lifeguard on duty; in failing to have a staff member with Supervision Level provide verbal direction and physically remove beach goers at the shorefront to other areas at the beach that were open, designated as swimming area and within the area of a lifeguard visual area; in failing to have personnel responsible for performing daily compliance checks of the beach; in failing to maintain daily logs of conditions and activities at the beach; in failing to identify hazardous areas at the beach, such as underwater slopes, holes, currents, stumps, rocks, diving boards, slides, etc.; in failing to eliminate hazards at the beach, such as underwater slopes, holes, currents, stumps, rocks, diving boards, slides, etc.; in failing to mark and/or properly mark hazards at the beach, such as underwater slopes, holes, currents, stumps, rocks, diving boards, slides, etc. to help beach goers avoid the areas; in failing to provide additional and increased lifeguards at or near these hazards at the beach, such as underwater slopes, holes, currents, stumps, rocks, diving boards, slides, etc.; in failing to perform daily inspections of the beach area and water to assure that adequate safety levels are maintained at the beach; in failing to report and immediately correct any such unsafe conditions at the beach area and unsafe water conditions; in failing to clear the bathers in the water when hazardous conditions developed such as high wave activity or dangerous currents; in failing to have procedures in place for clearing the water of beach goers when necessary; in failing to monitor the beach for hazardous conditions in the

water such as high wave activity or dangerous currents; in failing to have a communication system in place to be used to clear the water of beach goers when necessary.

*****Death Certificate (redacted) is attached hereto and made part hereof.**

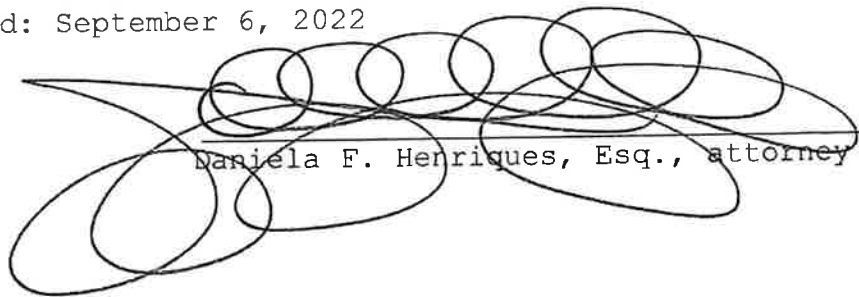
4. The items of damage or injuries claimed are:

Due to the acts and omissions of respondents THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION, their servants, agents and/or employees, claimant ALIOU B. KOUROUMA, father and natural guardian of infant decedent D' K and FANTA DIAKITE, mother and natural guardian of infant decedent DIAKA FANTA KOUROUMA in the total amount of twenty-five million (\$25,000,000.00) dollars.

The undersigned claimants therefore present this claim for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, claimants intend to commence an action on this claim to recover the within sum.

Said claim is thereby presented for adjustment and payment, and in the event of default of THE CITY OF NEW YORK and NYC DEPARTMENT OF PARKS & RECREATION to pay the sum of twenty-five million (\$25,000,000.00) dollars to claimant ALIOU B. KOUROUMA, father and natural guardian of infant decedent DIAKA FANTA KOUROUMA and FANTA DIAKITE, mother and natural guardian of infant decedent DIAKA FANTA KOUROUMA within the time limited for compliance with this demand.

Dated: September 6, 2022



Daniela F. Henriques, Esq., attorney for claimants

Individual Verification

State of New York, County of New York:

Daniela F. Henriques, Esq., being duly sworn, deposes and says, that deponent is one of the attorneys for claimants in the within action; that he has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's knowledge except as to the matters therein stated to be alleged on information and belief and that as to those matters, deponent believes it to be true.


Daniela F. Henriques, Esq.

Sworn to before me this 6th day
of September 2022.


Notary Public

ALEXANDER KRAN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02KR5015843
Qualified in New York County
My Commission Expires: 05/12/26

THE CITY OF NEW YORK

VITAL RECORDS CERTIFICATE

DEATH TRANSCRIPT

DATE FILED THE CITY OF NEW YORK - DEPARTMENT OF HEALTH AND MENTAL HYGIENE
 JUN-22-2022 03:13 PM **CERTIFICATE OF DEATH** Certificate No. 156-22-029319

1. DECEDENT'S LEGAL NAME **D K**
 (First, Middle, Last, Suffix)

Place of Death	2a. New York City 2b. Borough Queens	2c. Type of Place 1 <input type="checkbox"/> Hospital Inpatient 2 <input checked="" type="checkbox"/> Emergency Dept./Outpatient 3 <input type="checkbox"/> Dead on Arrival	4 <input type="checkbox"/> Nursing Home/Long Term Care Facility 5 <input type="checkbox"/> Hospice Facility 6 <input type="checkbox"/> Decedent's Residence 7 <input type="checkbox"/> Other Specify	2d. Any Hospice care in last 30 days 1 <input type="checkbox"/> Yes 2 <input checked="" type="checkbox"/> No 3 <input type="checkbox"/> Unknown	2e. Name of hospital or other facility (if not facility, street address) St. John's Episcopal Hospital
Date and Time of Death or Found Dead	3a. (Month) (Day) (Year-yyyy) June 17 2022	3b. Time 6:58	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	4. Sex Female	5. OCME Case No.
6. CAUSE OF DEATH	PART I				
	a. Immediate cause Drowning				
	b. Due to or as a consequence of				
c. Due to or as a consequence of					
PART II Other significant conditions contributing to death but not resulting in the underlying cause given in Part I. Include operation information.					
7a. Injury Date (mm dd yyyy)	7b. Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	7c. At Work 1 <input type="checkbox"/> Yes 2 <input checked="" type="checkbox"/> No	7d. Place of Injury - At home, factory, street, etc. Park		
06 17 2022	6:02		7e. Location Shore Front Parkway And Beach 108th Street, Rockaway, NY ***		
7f. How Injury Occurred Drowned while swimming in ocean					
7g. If Transportation Injury Specify <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Pedestrian <input type="checkbox"/> Passenger <input type="checkbox"/> Other Specify		8. Manner of Death <input type="checkbox"/> Pending further study <input type="checkbox"/> Natural <input type="checkbox"/> Homicide <input checked="" type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Undetermined		9. Autopsy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Autopsy Pursuant to Law <input type="checkbox"/> No Autopsy	
10. On the basis of examination and/or investigation, in my opinion, death occurred due to the causes and manner as stated: Certifier Signature <i>Julien Laor</i> D.O. Date JUN-20-2022 Certifier Name (Print) JULIEN LAOR Medical Examiner (Medical Investigator) (Deputy Chief) (Chief) (Medical Examiner)					
11a. Usual Residence State New York	11b. County Bronx	11c. City or Town Bronx	11d. Street and Number 1170 Walton Ave Apt 5D	Apt. No.	ZIP Code 10452-8467
12. Date of Birth (Month) (Day) (Year-yyyy)		13. Age at last birthday (years)		14. Social Security No.	
06 17 2006		16			
15a. Usual Occupation (Type of work done during most of working life. Do not use retired) Student		15b. Kind of business or industry High School		16. Aliases or AKAs *** **	
17. Birthplace (City & State or Foreign Country) Bronx, NY		18. Education (Check the box that best describes the highest degree or level of school completed at the time of death) 1 <input type="checkbox"/> 8th grade or less; none 2 <input type="checkbox"/> 9th - 12th grade; no diploma 3 <input type="checkbox"/> High school graduate or GED 4 <input type="checkbox"/> Some college credit, but no degree 5 <input type="checkbox"/> Associate degree (e.g., AA, AS) 6 <input type="checkbox"/> Bachelor's degree (e.g., BA, AB, BS) 7 <input type="checkbox"/> Master's degree (e.g., MA, MS, MEng, MEd, MSW, MBA) 8 <input type="checkbox"/> Doctorate (e.g., PhD, EdD) or Professional degree (e.g., MD, DDS, DVM, LLB, JD)			
19. Ever in U.S. Armed Forces? 1 <input type="checkbox"/> Yes 2 <input checked="" type="checkbox"/> No		20. Marital/Partnership Status at time of death 1 <input type="checkbox"/> Married 2 <input type="checkbox"/> Domestic Partnership 3 <input type="checkbox"/> Divorced 4 <input type="checkbox"/> Married, but separated 5 <input checked="" type="checkbox"/> Never Married 6 <input type="checkbox"/> Widowed 7 <input type="checkbox"/> Other, Specify		21. Surviving Spouse's/Partner's Name (prior to first marriage) (First, Middle, Last) *** **	
22. Father/Parent Name (Prior to first marriage) (First, Middle, Last) Aliou B. Kourouma			23. Mother/Parent Name (Prior to first marriage) (First, Middle, Last) Fanta Diakite		
24a. Informant's Name Aliou B. Kourouma		24b. Relationship to Decedent Father		24c. Address (Street and Number Apt. No. City & State ZIP Code)	
25a. Method of Disposition 1 <input checked="" type="checkbox"/> Burial 2 <input type="checkbox"/> Cremation 3 <input type="checkbox"/> Entombment 4 <input type="checkbox"/> City Cemetery 5 <input type="checkbox"/> Other Specify		25b. Place of Disposition (name of cemetery, crematory, other place) Marlboro Muslim Memorial			
25c. Location of Disposition (City & State or Foreign Country) Morganville, NJ				25d. Date of Disposition mm dd yyyy 06 22 2022	
26a. Funeral Establishment Islamic International Funeral Services			26b. Address (Street and Number City & State ZIP Code) 4123 4th Ave Brooklyn, NY 11232-3501		
No Correction History.***					

EVT202206306807

June 23, 2022

VR 16 (Rev. 01/20)

This is to certify that the foregoing is a true copy of a record on file in the Department of Health and Mental Hygiene. The Department of Health and Mental Hygiene does not certify to the truth of the statements made thereon, as no inquiry as to the facts has been provided by law.

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Gretchen Van Wye
 Gretchen Van Wye, PhD, City Registrar



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ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

In the Matter of the Claim of

ALIOU B. KOUROUMA and FANTA DIAKITE, as Proposed Administrators
of the Estate of Infant D.K., DECEASED, ALIOU B.
KOUROUMA, Individually and FANTA DIAKITE, Individually.

NOTICE OF CLAIM

Leav & Steinberg, LLP
Attorneys for Claimants
Office & Post Address, Telephone
75 Broad Street, Suite 1601
New York, New York 10004
Telephone No.: (212) 766-5222
File No.: 229887