§ 11. Filing, service and contents of claim or notice of intention. a. (i) The claim shall be filed with the clerk of the court; and, except in the case of a claim for the appropriation by the state of lands, a copy shall be served personally or by certified mail, return receipt requested, upon the attorney general within the times hereinbefore provided for filing with the clerk of the court. Any notice of intention shall be served personally or by certified mail, return receipt requested, upon the attorney general within the times hereinbefore provided for service upon the attorney general. Service by certified mail, return receipt requested, upon the attorney general shall not be complete until the claim or notice of intention is received in the office of the attorney general. Personal service upon the attorney general shall be made in the same manner as described in section three hundred seven of the civil practice law and rules.

(ii) In any action brought in the court of claims against the New York state thruway authority, the city university of New York, or the New York state power authority, a copy of the claim shall be served personally or by certified mail, return receipt requested, upon such defendant, in addition to the attorney general, within the times hereinbefore provided for filing with the clerk of the court, and any notice of intention shall be served personally or by certified mail, return receipt requested, upon such defendant, in addition to the attorney general, within the times hereinbefore provided for service upon the attorney general. Service by certified mail, return receipt requested, shall not be complete until the claim or notice of intention is received by the defendant. Personal service upon any defendant shall be made in the same manner as described in the civil practice law and rules.

b. The claim shall state the time when and place where such claim arose, the nature of same, the items of damage or injuries claimed to have been sustained and, except in an action to recover damages for personal injury, medical, dental or podiatric malpractice or wrongful death, the total sum claimed. A claim for the appropriation by the state of lands, or any right, title or interest in or to lands shall include an inventory or itemized statement of fixtures, if any, for which compensation is claimed. The notice of intention to file a claim shall

set forth the same matters except that the items of damage or injuries and the sum claimed need not be stated. The claim and notice of intention to file a claim shall be verified in the same manner as a complaint in an action in the supreme court.

c. Any objection or defense based upon failure to comply with (i) the time limitations contained in section ten of this act, (ii) the manner of service requirements set forth in subdivision a of this section, or (iii) the verification requirements as set forth in subdivision b of this section is waived unless raised, with particularity, either by a motion to dismiss made before service of the responsive pleading is required or in the responsive pleading, and if so waived the court shall not dismiss the claim for such failure.

d. Subdivision b of this section shall not apply to any otherwise time-barred civil claims or causes of action revived by section two hundred eight-a of the civil practice law and rules. This exemption shall not apply to any claim that was timely under the otherwise applicable statute of limitations, provided that, the court, in exercising its discretion as otherwise permitted by law regarding the claim or notice of intention to file a claim shall, in the interest of justice, give due consideration to difficulties of proof caused by incarceration.