§ 3567. Actions against the corporation. 1. Except in an action for wrongful death, an action or proceeding under article fourteen of the civil service law or section thirty-five hundred fifty-six of this title, no action or special proceeding shall be prosecuted or maintained against the corporation, its members, officers or employees for personal injury or damage to real or personal property alleged to have been sustained by reason of the negligence, tort or wrongful act of the corporation or of any member, officer, agent or employee thereof, unless: (a) notice of claim shall have been made and served upon the corporation within the time limit set by and in compliance with section fifty-e of the general municipal law, (b) it shall appear by and as an allegation in the complaint or moving papers that at least thirty days have elapsed since the service of such notice and that adjustment or payment thereof has been neglected or refused, (c) the action or special proceeding shall be commenced within one year and ninety days after the happening of the event upon which the claim is based, and (d) an action, against the corporation for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

2. Whenever a notice of claim is served upon the corporation, it shall have the right to demand an examination of the claimant relative to the occurrence and extent of the injuries or damages for which claim is made, in accordance with the provisions of section fifty-h of the general municipal law.

3. The corporation may require any person presenting for settlement an account or claim for any cause whatsoever against the corporation to be sworn before a trustee, counsel or an attorney, officer or employee of the corporation designated for such purpose, concerning such account or claim and, when so sworn, to answer orally as to any facts relative to such account or claim. The corporation shall have power to settle or adjust all claims in favor of or against the corporation.

4. Any action or proceeding to which the corporation or the people of the state may be parties, in which any question arises as to the validity of this title, shall be preferred over all other civil causes

of action or cases, except election causes of action or cases, in all courts of the state and shall be heard and determined in preference to all other civil business pending therein except election causes, irrespective of position on the calendar. The same preference shall be granted upon application of the corporation or its counsel in any action or proceeding questioning the validity of this title in which the corporation may be allowed to intervene. The venue of any such action or proceeding shall be laid in the supreme court of the County of Erie.

5. The rate of interest to be paid by the corporation upon any judgment for which it is liable, other than a judgment on its bonds, shall be the rate prescribed by section one of chapter five hundred eighty-five of the laws of nineteen hundred thirty-nine, as amended. Interest on payments of principal or interest on any bonds in default shall accrue at the rate borne by such bonds from the due date thereof until paid or otherwise satisfied.

6. All actions or proceedings against the corporation for breach of contract, express or implied, or for the torts of its directors, officers or employees while acting as such directors, officers or employees, except for any action brought by a trustee pursuant to section thirty-five hundred sixty-one of this title, shall be brought in the court of claims.