



2026 LEG FEB 3 12:43

COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

MEMORANDUM

TO: Olivia Owens, Clerk, Erie County Legislature

FROM: Jeremy C. Toth, Erie County Attorney

DATE: January 30, 2026

RE: Transmittal of New Claims Against Erie County

JCT/dld

Ms. Owens:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), please find 12 new claims brought against the County of Erie. The claims are as follows:

Claim Name

1. Kidane Haile (Estate of) v. County of Erie, et al.;
2. Carol Walsh v. County of Erie;
3. Jeffrey and Shelby Steward v. County of Erie;
4. Rachel Wendt v. County of Erie, et al.;
5. Matthew Burke v. County of Erie, et al.;
6. Garry Turner v. County of Erie;
7. Thomas Bialaszewski v. County of Erie, et al.;
8. Melvin Miles v. County of Erie, et al.;
9. Tia Leak v. County of Erie, et al.;
10. Fatma Abdulhadi v. County of Erie, et al.;
11. Isaac Shavers v. County of Erie, et al.; and
12. Laura Lasher v. County of Erie, et al.

JCT:dld
Attachments



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 8, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Haile, Kidane (Estate of) by Franchesco Haile v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Franchesco Haile (Admin. for Estate of Kidane Haile) 91 Ford Avenue Oneonta, New York 13820
Claimant's attorney:	Brittany L. Penberthy, Esq. Penberthy Law Group LLP 227 Niagara Street Buffalo, New York 14201

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Tnc.

In the Matter of the Claim of
FRANCHESCO HAILE, as Proposed Administrator of
the Estate of KIDANE HAILE, Deceased,

Claimants,

NOTICE OF CLAIM

-vs-

COUNTY OF ERIE, ERIE COUNTY
SHERIFF'S DEPARTMENT, JOHN GARCIA,
in his official individual and
official capacity as Sheriff of ERIE County,
and OFFICERS JANE/JOHN DOE(S)

Respondents.

TO: COUNTY OF ERIE
ERIE COUNTY SHERIFF'S DEPARTMENT
SHERIFF JOHN GARCIA
OFFICERS JANE/JOHN DOE(S)

PLEASE TAKE NOTICE that FRANCHESCO HAILE, as Proposed Administrator of the Estate of KIDANE HAILE (hereinafter referred to as 'K. HAILE'), deceased, hereby claims and demands from the above-named Respondents damages for personal injuries sustained by decedent K. HAILE and for medical and hospital expenses incurred and/or to be incurred together with consequential damages as a result of the negligent, careless and reckless acts and omissions of the above-named Respondents, its agents, servants and/or employees, appointees, designees, departments or divisions thereof and in support thereof, the Claimant states the following:

1. The post office address of the Claimant FRANCHESCO HAILE is 91 Ford Avenue, Oneonta, New York 13820.
2. The name and post office address of Claimants' attorney is Brittanylee Penberthy, Esq., of Penberthy Law Group LLP, 227 Niagara Street, Buffalo, New York 14201.

3. The claimant, FRANCHESCO HAILE, is the anticipated Administrator of the Estate of K. HAILE, deceased. The decedent, K. HAILE, died on or about December 10, 2025, while in the custody of the Erie County Sheriff's Office.

4. On or about October 18, 2025, K. HAILE was delivered into the custody, care, and control of the ERIE COUNTY SHERIFF'S DEPARTMENT and SHERIFF JOHN GARCIA. From that date forward, Respondents owed K. HAILE a non-delegable duty to provide for his safety, medical and mental health needs, and to protect him from reasonably foreseeable harm, including self-harm and suicide. Upon information and belief, Respondents failed to properly screen, monitor, and protect K. HAILE.

5. Prior to his death, K. HAILE, upon information and belief, was subjected to inadequate mental health care and medical treatment by employee(s) and/or agents of ERIE COUNTY SHERIFF'S DEPARTMENT.

6. Upon information and belief, at the time K. HAILE was received into custody, Respondents knew or should have known that K. HAILE suffered from serious mental illness and/or psychological distress, and that he was at an increased risk of self-harm or suicide. Despite such knowledge, Respondents failed to conduct an adequate intake screening, mental health assessment, and suicide risk evaluation consistent with accepted correctional standards and policies.

7. Upon information and belief, K. HAILE was found unresponsive at Erie County Correctional Facility, located at 11581 Walden Avenue, Alden, New York, an inmate housing facility of the ERIE COUNTY SHERIFF'S DEPARTMENT, on or about 9:00pm on December 10, 2025. Ultimately Deceased Claimant was caused to sustain deadly injuries.

8. Upon information and belief, Respondents failed to properly monitor K. HAILE, including failing to conduct required welfare checks, rounds, and observations at appropriate intervals, and

failed to intervene despite observable warning signs of mental deterioration, emotional distress, or suicidal behavior.

9. Respondents have herein failed to provide timely and appropriate security, medical, and mental health care.

10. Prior to his death, K. HAILE, upon information and belief, was subjected to inadequate mental health care and medical treatment by employee(s) and/or agents of ERIE COUNTY SHERIFF'S DEPARTMENT.

11. Upon information and belief, decedent, who suffered from mental illness, had not been properly supervised, cared for, and/or assessed for additional needs.

12. The additional details of the death of Claimant Decedent are entirely within Respondents' custody.

13. That the nature of the instant claim is for the negligent, careless, and reckless acts or omissions of the above-named Respondents, their agents, servants and/or employees, appointees, designees, departments and divisions thereof, in that K. HAILE suffered injuries and wrongful death while in the custody of Respondents.

14. Upon information and belief, the incident herein described and the resultant injuries and damages sustained were caused as a result of the negligence, carelessness, recklessness and/or unlawful conduct on the part of the agents, servants and/or employees of the COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT, SHERIFF JOHN GARCIA, and OFFICERS JANE/JOHN DOE(S), and more particularly, in failing to appropriately supervise and observe Claimant Decedent while he was incarcerated; in failing and omitting to make and undertake proper safeguards for care and protection of Decedent; in failing and omitting to ensure Decedent was provided and supplied with necessary and proper medical care; in failing and omitting to ensure

Decedent was secure from self-harm; in failing and omitting to have comprehensive policies, procedures and/or guidelines established and in place to prevent deaths of inmates; in failing and omitting to have comprehensive policies, procedures and/or guidelines established and in place to properly assess the mental health of inmates; and in failing to properly train and monitor their agents, servants and/or employees with respect to the proper handling, supervision and monitoring of inmates.

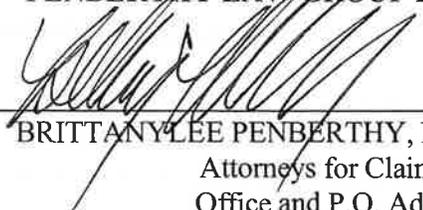
15. That by reason of the foregoing injuries, said Deceased Claimant, prior to his untimely death, suffered great pain, discomfort and disfigurement; that as a result of the aforesaid injuries and the resulting death said Claimant has forever been precluded from his educational pursuits and/or profession and/or employment, cessation of earning capacity of the Claimant, and cessation of the activities, professional, social and personal endeavors and hobbies of the Claimant and his enjoyment of life will forever be forgone thereof, all to the damage of said Deceased Claimant.

16. The instant claim is also for funeral expenses, pain and suffering, wrongful death, punitive and consequential damages on behalf of the Decedent's distributees.

PLEASE TAKE FURTHER NOTICE that the Claimant requests payment of the claims and damages sustained by them as hereinbefore set forth.

DATED: December 21, 2025
Buffalo, New York

PENBERTHY LAW GROUP LLP

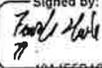
By: 

BRITTANY LEE PENBERTHY, ESQ.
Attorneys for Claimants
Office and P.O. Address
227 Niagara Street
Buffalo, New York 14201
(716) 803-8402

VERIFICATION

I, FRANCHESCO HAILE, affirm this 21st day of December, 2025, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

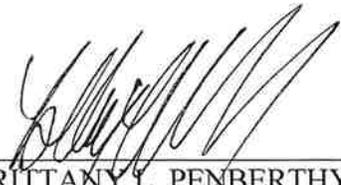
DATED: December 21st, 2025

Signed by:

#0MF501G7F44BD

FRANCHESCO HAILE

VERIFICATION

BRITTANY L. PENBERTHY, ESQ., being duly sworn, deposes and says that she is the attorney for the Plaintiff in this action who resides in a different county than which this attorney maintains an office; and pursuant to CPLR 3020(d)(3), states that that as such is familiar with the facts and circumstances surrounding this action. She has read the foregoing NOTICE OF CLAIM and knows the contents thereof; that the same is true to the knowledge of Plaintiff, except as to those matters therein stated to be alleged upon information and belief, and that as to those matters, she believes it to be true.



BRITTANY L. PENBERTHY, ESQ. as
Attorney for the Claimant, FRANCHESCO
HAILE, as Proposed Administrator of the
Estate of KIDANE HAILE, Deceased.



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 12, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Walsh, Carol v. County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Carol Walsh 5432 Ellicott Road Orchard Park, New York 14127
Claimant's attorney:	Michael C. Scinta, Esq. Brown Chiari, LLP 2470 Walden Avenue Buffalo, New York 14225

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK :
SUPREME COURT : COUNTY OF ERIE

CAROL WALSH,
Claimant,

vs.

NOTICE OF CLAIM

ERIE COUNTY
Respondent.

TO: Jeremy C. Toth, Esq.
Erie County Attorney
Erie County Attorney's Office
95 Franklin Street, Room 1634
Buffalo, NY 14202

To whom it may concern:

PLEASE TAKE NOTICE, that the undersigned, Michael C. Scinta, Esq. of Brown Chiari LLP, as attorneys for Claimant CAROL WALSH, hereby makes claim on behalf of Claimant CAROL WALSH, against Respondent ERIE COUNTY, and submits the following in compliance with the applicable statutes of the State of New York.

1. The Claimant herein is Carol Walsh, who resides at 5432 Ellicott Road, Orchard Park, NY 14127.
2. The Claimant herein is represented by the law firm of BROWN CHIARI LLP, 2470 Walden Avenue, Buffalo, New York 14225-4751.
3. The subject claim is for personal injuries, medical expenses and associated injuries sustained by reason of injury to Claimant Carol Walsh.

4. The incident giving rise to these damages occurred on or about July 22, 2025, while Claimant was traveling eastbound in his vehicle, along with his passenger and wife, Carol Walsh, on Armor Duell Road (Route 952J) in the Town of Orchard Park when they were struck by another vehicle that was traveling northbound on Murphy Road. The Town of Orchard Park Police Report is attached hereto as Exhibit A.

5. The said damages for which claim is hereby made arose in the following manner, to wit:

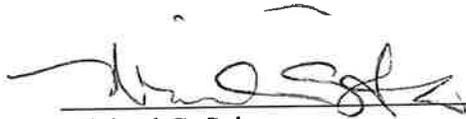
Mr. and Mrs. Walsh were traveling eastbound on Armor Duells Road (Route 952J) in the Town of Orchard Park when they were struck by another vehicle that was traveling northbound on Murphy Road.

Upon information and belief, a cause of the aforementioned accident was the negligence of ERIE COUNTY, by and through its agents, servants, and employees, in that they were negligent in failing to properly design, construct, and maintain Murphy Road in the area of this incident, failing to provide proper traffic control devices, and or signage in the area of the incident, failing to provide adequate safety measures for vehicular traffic at or near the intersection of Murphy Road and Armor Duells Road, Orchard Park New York, failing to provide proper warnings and signage to vehicular traffic in and around the area of Murphy Road and Armor Duells Road, Orchard Park New York, failing to properly mark, indicate or otherwise notify vehicular traffic of the intersection of Murphy Road and Armor Duells Road, Orchard Park New York, failing to conduct proper and adequate studies of the area, failing to install alternative features to safely direct traffic, and failing to take proper notice of the dangers existing with the design of the intersection and failing to heed warnings and complaints regarding the intersection.

6. Claimant Gerald Walsh sustained, among other injuries, personal injuries in the nature of chest and back pain; knee pain; rib fracture; emotional damages resulting in severe anxiety with driving and activities of daily living, reduced range of motion, disability, loss of enjoyment of life, and medical expenses. Mr. Walsh has been treated at Erie County Medical Center, Horizon Health Services, and UB Orthopaedics & Sports Medicine.

7. The subject claim is for a sum to be determined by the Court.

DATED: October 20, 2025


Michael C. Scinta

STATE OF NEW YORK)
COUNTY OF ERIE) ss:

On the 20th day of October, 2025, Michael C. Scinta, being duly sworn, deposes and says that on behalf of the Claimant in this matter, he has read the foregoing Notice of Claim and, upon information and belief, understands the contents thereof to be true.


Michael C. Scinta

Sworn to before me on this
20th day of October, 2025.


Notary Public



CERTIFICATION

Pursuant to Part 130-1 of the Rules of the Chief Administrator, the undersigned attorney certifies that, to the best of my knowledge, information and belief, formed after inquiry reasonable under the circumstances, the presentation of this paper or the contentions therein are not frivolous as defined in subsection (c) of §130-1.1.



Michael C. Scinta, Esq.
BROWN CHIARI LLP
Attorneys for Claimant
2470 Walden Avenue
Buffalo, New York 14225-4751
(716) 681-7190

EXHIBIT A

POLICE ACCIDENT REPORT

Local Codes
25-021640
RNTF02KL5SKK

AMENDED REPORT

MV-104A (6/04)

1	Accident Date Month: 7, Day: 22, Year: 2025 Day of Week: TUESDAY Military Time: 19:22 No. of Vehicles: 2 No. Injured: 3 No. Killed: 0 Not Investigated at Scene: <input type="checkbox"/> Left Scene: <input type="checkbox"/> Police Photos: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Accident Reconstructed: <input type="checkbox"/>	20
2	VEHICLE 1 VEHICLE 1 - Driver License ID Number: 683952312 State of Lic.: NY Driver Name - exactly as printed on license: TANNER, SCOTT A Address (Include Number and Street): 6105 POWERS RD City or Town: ORCHARD PARK, State: NY, Zip Code: 14127 Date of Birth: 7/17/1956, Sex: M, Unlicensed: <input type="checkbox"/> No. of Occupants: 01, Public Property Damaged: <input type="checkbox"/> Name - exactly as printed on registration: TANNER, SCOTT A, Sex: M, Date of Birth: 7/17/1956 Address (Include Number and Street): 6105 POWERS RD City or Town: ORCHARD PARK, State: NY, Zip Code: 14127 Plate Number: HXL5685, State of Reg.: NY, Vehicle Year & Make: 2015 CHEV, Vehicle Type: PICK, Ins. Code: 113	21
3	VEHICLE 2 <input checked="" type="checkbox"/> VEHICLE 2 <input type="checkbox"/> BICYCLIST <input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> OTHER PEDESTRIAN VEHICLE 2 - Driver License ID Number: 525073845 State of Lic.: NY Driver Name - exactly as printed on license: WALSH, GERALD J Address (Include Number and Street): 5432 ELLICOTT RD City or Town: ORCHARD PARK, State: NY, Zip Code: 14127 Date of Birth: 8/22/1943, Sex: M, Unlicensed: <input type="checkbox"/> No. of Occupants: 02, Public Property Damaged: <input type="checkbox"/> Name - exactly as printed on registration: WALSH, GERALD J, Sex: M, Date of Birth: 8/22/1943 Address (Include Number and Street): 5432 ELLICOTT RD City or Town: ORCHARD PARK, State: NY, Zip Code: 14127 Plate Number: KKV5932, State of Reg.: NY, Vehicle Year & Make: 2015 FORD, Vehicle Type: SUBN, Ins. Code: 349	22
4	Ticket/Arrest Number(s): TPXXKL9DSL Violation Section(s): 1142A	23
5	1	24
6	1	25

7	<p>Check if involved vehicle is:</p> <p><input type="checkbox"/> more than 95 inches wide;</p> <p><input type="checkbox"/> more than 34 feet long;</p> <p><input type="checkbox"/> operated with an overweight permit;</p> <p><input type="checkbox"/> operated with an overdimension permit.</p> <p>VEHICLE 1 DAMAGE CODES</p> <p>Box 1 - Point of Impact: 12 1 2</p> <p>Box 2 - Most Damage: 1 3 2 4 5</p> <p>Enter up to three more damage codes: 1 3 2 4 5</p> <p>Vehicle By: OP COLLISION Towed To: OP COLLISION</p> <p>VEHICLE DAMAGE CODING:</p> <p>1-13 SEE DIAGRAM ON RIGHT.</p> <p>14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER</p>	<p>Check if involved vehicle is:</p> <p><input type="checkbox"/> more than 95 inches wide;</p> <p><input type="checkbox"/> more than 34 feet long;</p> <p><input type="checkbox"/> operated with an overweight permit;</p> <p><input type="checkbox"/> operated with an overdimension permit.</p> <p>VEHICLE 2 DAMAGE CODES</p> <p>Box 1 - Point of Impact: 2 1 2</p> <p>Box 2 - Most Damage: 3 3 1 4 5</p> <p>Enter up to three more damage codes: 3 3 1 4 5</p> <p>Vehicle By: EMPIRE Towed To: EMPIRE</p>	<p>Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.</p> <p>ACCIDENT DIAGRAM</p> <p>See the last page of the MV-104A for the accident diagram.</p> <p>9.</p> <p>Cost of repairs to any one vehicle will be more than \$1000. <input type="checkbox"/> Unknown/Unable to determine <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	26
1	1	27		
1	1	28		

Reference Marker	Coordinates (if available)	Place Where Accident Occurred:
9 5 2 J	Latitude/Northing: 4739849	County: ERIE <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town <input checked="" type="checkbox"/> of ORCHARD PARK
5 3 0 1	Longitude/Easting: 191553	Road on which accident occurred: ARMOR DUELLS ROAD (Route Number or Street Name)
1 0 0 0		at 1) intersecting street: MURPHY RD (Route Number or Street Name)
		or 2) _____ (Route Number or Street Name)
		_____ feet _____ miles <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W of _____ (Milepost, Nearest intersecting Route Number or Street Name)

Accident Description/Officer's notes

Vehicle 1, traveling northbound on Murphy Rd. failed to yield to the right of way of vehicle 2 which was traveling eastbound on state route 952J. All parties involved in the motor vehicle accident with inclusion to the eye witness did validate said statement. WITNESS #1 LISA B WEAVER 3830 SHELDON RD LOWER ORCHARD PARK, NY 14127 (716) 982-2701

8	9	10	11	12	13	14	15	16	16	17 BY	
A 1	1	4	1	69	M	07	03	6	OPEMS	1418 TANNER, SCOTT A	
B 2	1	4	1	81	M	08	04	6	opems	1405 WALSH, GERALD J	
C 2	3	4	1	82	F	04	03	6	opems	1405 WALSH, CAROL H	
Officer's Rank and Signature	PATROL	Badge/ID No.	0091	NCIC No.	01460	Precinct/Post Troop/Zone	Station/Beast Sector	Reviewing Officer	LAGODA, D	Date/Time Reviewed	7/25/2025 12:17
Print Name in Full	C CLARK										

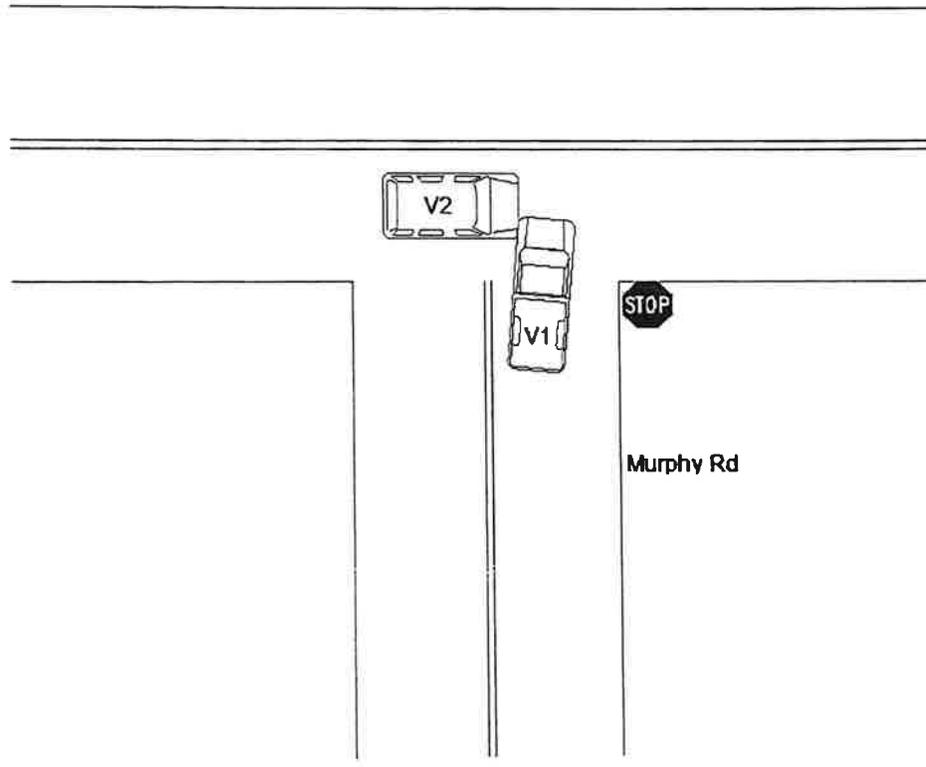
New York State Department of Motor Vehicles
POLICE ACCIDENT REPORT

Local Codes
25-021640
RNTF02KL5SKK

MV-104A (6/04)

AMENDED REPORT

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene	<input type="checkbox"/>	Left Scene	Police Photos
Month	Day	Year						Accident Reconstructed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7	22	2025	TUESDAY	19:22	2	3	0				





COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 12, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Steward, Jeffrey and Shelby v. County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Jeffrey and Shelby Steward 6167 Flatiron Road Conewango, New York 14726
Claimant's attorney:	Michael T. Coutu, Esq. Lewis & Lewis, PC 800 Cathedral Park Tower 37 Franklin Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

JEFFREY STEWARD and SHELBY STEWARD
Claimants

NOTICE OF CLAIM

-against -

COUNTY OF ERIE
Respondent

TO: COUNTY OF ERIE
Department of Law
Edward A. Rath County Office Building
95 Franklin Street, Room 1634
Buffalo, New York 14202

PLEASE TAKE NOTICE, that JEFFREY STEWARD and SHELBY STEWARD by and through their attorneys Lewis & Lewis, P.C., hereby make claims and demands against COUNTY OF ERIE and allege as follows upon information and belief:

1. The names and post-office address of the claimants are as follows: JEFFREY STEWARD and his wife SHELBY STEWARD of 6167 Flatiron Road, Conewango, NY 14726. The name, post-office address, and telephone number of the claimants' attorney is LEWIS & LEWIS, P.C., Michael T. Coutu, Esq., of Counsel, 800 Cathedral Park Tower, 37 Franklin Street, Buffalo, New York 14202; (716) 854-2100.
2. The nature of the claim is as follows: Claimant JEFFREY STEWARD, did sustain personal injuries and other damages as a result of the carelessness, recklessness, statutory violations, violations of New York Labor Law §§ 200, 240(1), 241(6) (Industrial Code as set forth in 12 NYCRR part 23, including, without limitation: 12 NYCRR §§ 23-1.7, 1.7(b), 1.7(c), 1.7(e), 1.15, 1.23, 4.1, 4.2, 4.3, and 4.4) and 240(1), of the COUNTY OF ERIE by its agents, servants, representatives and/or employees, including injuries to his body, including without limitation, his left shoulder.
3. Respondent's negligence and culpable conduct includes without limitation: failing to maintain the premises where the injury occurred in a reasonably safe condition for persons lawfully thereupon (including claimant, JEFFREY STEWARD); creating a dangerous, hazardous, and/or defective condition; launching the instrument of harm; and failing to warn or protect such persons concerning hazardous, dangerous, treacherous, and/or otherwise unsafe conditions upon the premises.
4. Upon information and belief, the carelessness, recklessness, negligence, and/or violation of statutory duties of the respondent and/or the respondent by its agents, servants, representatives and/or employees proximately caused and/or was a substantial factor in

bringing about the incident, claimant, JEFFREY STEWARD's, injuries, and the claimants' damages as hereinafter described.

5. The time when, the place where, and the manner in which the claim arose is as follows: On or about August 13, 2025 at approximately 9.a.m., while claimant JEFFREY STEWARD was in the course of his employment for OAK GROVE CONSTRUCTION, he was caused to fall upon the unsafe conditions of a trench dug as part of the construction of the bridge replacement on County Road in the Town of Clarence between Salt Road and Strickler Road as part of County Highway Department Project # FA-5763.34-23. The trench bank collapsed causing claimant JEFFREY STEWARD to slip, trip and fall several feet down into the bottom of the trench below.
6. At or about this date, time, and place, claimant JEFFREY STEWARD was caused to fall down into the trench along County Road between Salt and Strickler Roads in the Town of Clarence and County of Erie and State of New York while employed in the construction of the bridge. Claimant fell and sustained injuries as a result of the dangerous, hazardous, treacherous, and unsafe condition on the construction project, as well as the failure to provide claimant a safe place to work, and to comply with requirements of the New York State Labor Law §§ 200, 241(6) and 240(1).
7. The items of damage and injuries sustained by JEFFREY STEWARD are as follows: past and future medical expenses; painful bodily injury; left shoulder injuries, conscious physical pain and suffering; loss of earnings, loss of earning potential, and other damages including the impact of the injuries, limitations and sequelae of the same. Claimant SHELBY STEWARD damages and injuries include past and future loss of services, society and companionship of her husband JEFFREY STEWARD. Upon information and belief, claimants' injuries and damages are, in all respects, progressive and ongoing in nature relating directly to the incident and negligence described herein.

Respectfully submitted,

LEWIS & LEWIS, P.C.

s/ Michael T. Coutu

MICHAEL T. COUTU, ESQ.
LEWIS AND LEWIS, P.C. on behalf of Claimants
JEFFREY STEWARD and SHELBY STEWARD

Dated: November 5, 2025
Jamestown, New York



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 12, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Wendt, Rachel v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Rachel Wendt 4445 Van Dusen Road Lockport, New York 14094
Claimant's attorney:	Thomas P. Patti, Esq. Law Offices of Robert Berkun, LLC 501 John James Audubon Parkway Suite 300 Amherst, New York 14228

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

IN THE MATTER OF THE CLAIM OF:

Rachel Wendt

Claimant,

v.

NOTICE OF CLAIM

**CITY OF BUFFALO,
BUFFALO URBAN RENEWAL AGENCY, and
COUNTY OF ERIE,**

Respondents.

TO:

Cavette Chambers, Esq.
Corporation Counsel, City of Buffalo
1100 City Hall
65 Niagara Square
Buffalo, NY 14202

Tianna M. Marks
City of Buffalo Clerk
65 Niagara Square, Room 1308
Buffalo, NY 14202

Michael P. Kearns
ERIE COUNTY Clerk
92 Franklin Street
Buffalo, NY 14202

Attn: Chair, Treasurer, Secretary, & Counsel
BURA
65 Niagara Square
Room 901/920 City Hall
Buffalo, New York 14202

Jeremy C. Toth, Esq.
Erie County Attorney
Erie County Department of Law
Edward A. Rath County Office Building
95 Franklin Street, Rm 1634
Buffalo, New York 14202

PLEASE TAKE NOTICE, that the Claimant, RACHEL WENDT by and through her attorneys, the Law Offices of Robert D. Berkun, 501 John James Audubon Parkway, Suite 300, Amherst, New York 14228 hereby makes a claim against the Respondents, CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE, as follows:

1. The Claimant's full name is RACHEL WENDT with a date of birth of February 22, 1996.

2. The Claimant resides at 4445 Van Dusen Rd, Lockport, NY 14094.
3. That on or about the 9th day of November, 2025 at approximately 8:45 p.m., the Claimant was caused to slip/trip and fall as a result of the negligently owned, operated, inspected, repaired, and/or maintained flooring, landing, and/or steps inside the premises commonly known as "KeyBank Center" located at 1 Seymour H Knox III Plaza, Buffalo, NY 14203, in the County of Erie, State of New York, in that the floor surface was wet, slippery, and otherwise hazardous, without proper warning signs, cones, barricades, mats, or other reasonable safeguards to protect patrons from the dangerous condition.
4. Upon information and belief, said property is owned by the Respondents, CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and/or COUNTY OF ERIE.
5. That the incident described above was caused by the negligence of the CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE, its agents, servants, employees and/or contractors, in that the CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE did not take all adequate, reasonable, and necessary steps to provide for the safety of the Claimant. That, specifically, the CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE, its agents, servants, employees and/or contractors, were careless, negligent and reckless in the following ways: in owning, operating, managing, cleaning, maintaining, and controlling the interior flooring, landings, and/or steps in the subject area; in allowing the flooring, landings, and/or steps to become and remain wet, slippery, and otherwise hazardous to pedestrians; in creating and/or exacerbating the hazardous condition by mopping and/or wet cleaning the floor and/or steps during active

public use of the area without closing the area to pedestrian traffic and without providing adequate cones, barricades, warning signs, or other notice of the wet condition; in permitting water and/or other substances to accumulate on the walking surface and failing to timely remove, dry, or otherwise remediate the condition; in failing to provide, place, or maintain appropriate mats, runners, slip resistant coverings, or other protective devices; in failing to conduct reasonable inspections of the area and to timely discover, mark, cordon off, or correct the dangerous condition; in failing to place warning signs, cones, barricades, or other visual cues to alert patrons to the wet and slippery condition; in failing to implement, follow, and enforce reasonable policies and procedures for inspection, cleaning, and maintenance of interior floors and steps during periods of use by the public; in failing to properly supervise and train employees, agents, and/or contractors responsible for cleaning and maintaining the subject area; in failing to respond to prior complaints and/or observations of wet, slippery, or hazardous floor and step conditions that existed for a sufficient period of time prior to the occurrence; in failing to maintain the flooring, landing, and/or step surfaces, nosings, coatings, and transitions in a reasonably safe, slip resistant condition; in failing to provide adequate lighting and visibility so that the presence of moisture and the hazardous condition could be readily observed; in violating applicable statutes, codes, standards, and internal policies requiring interior walking surfaces and steps to be maintained in a reasonably safe condition; and otherwise failing to use reasonable care under the circumstances.

6. The foregoing acts and omissions created and maintained a dangerous condition on the flooring, landings, and/or steps inside KeyBank Center, causing Claimant to slip and fall on a wet, slippery, and/or otherwise hazardous floor, landing, and/or steps, without proper

warning signs, cones, barricades, mats, or other reasonable safeguards to protect patrons from the dangerous condition.

7. The CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE, its agents, servants, employees, and/or contractors, knew, or should have known in the exercise of reasonable care, that persons lawfully on the premises would traverse on said flooring, landing, and/or steps and surrounding area which was then dangerous/hazardous due to the negligently owned, operated, inspected, repaired, cleaned, and/or maintained floor, landing, and/or step surfaces which was wet, slippery, and otherwise unsafe without proper mats, slip-resistant coverings, warnings, cones, barricades, or other safeguards to protect pedestrians from the dangerous condition.
8. That as a result of this fall, the Claimant, RACHEL WENDT, sustained serious personal injuries to her back and other injuries not yet fully known.
9. That the Claimant, RACHEL WENDT, has incurred various medical expenses and is continuing to treat with medical providers for injuries sustained due to the negligence of Respondents, CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE.
10. That the Claimant, RACHEL WENDT, hereby makes a claim against Respondents, CITY OF BUFFALO, BUFFALO URBAN RENEWAL AGENCY (BURA), and COUNTY OF ERIE for her personal injuries, medical expenses, past, present and future pain suffering and loss of enjoyment of life suffered as a result of the incident that occurred on or about November 9, 2025 as a result of the negligently owned, operated, inspected, repaired, and/or maintained flooring, landing, and/or steps inside the premises commonly known as

“KeyBank Center” located at 1 Seymour H Knox III Plaza, Buffalo, NY 14203, in the County of Erie, State of New York.

11. That the Claimant, RACHEL WENDT, respectfully reserves the right to amend this Notice of Claim if necessary.

PLEASE TAKE NOTICE, that in the event that the Respondent fails to resolve the matter, the Claimant intends to commence an action in the Supreme Court of the State of New York, County of Erie, to recover damages in an amount which is currently undetermined, together with the costs and disbursements of this action, and for such other and further relief as the Court deems just and proper.

DATED: Amherst, New York
November 11, 2025



Thomas P. Patti, Esq.
LAW OFFICES OF ROBERT D. BERKUN
Attorneys for Claimant
501 John James Audubon Parkway, Suite 300
Amherst, New York 14228
(716) 855-3255

IN THE MATTER OF THE CLAIM OF:

RACHEL WENDT

Claimant,

v.

VERIFICATION

**CITY OF BUFFALO,
BUFFALO URBAN RENEWAL AGENCY, and
COUNTY OF ERIE**

Respondents.

RACHEL WENDT, being duly sworn, deposes and says, that the deponent is the Claimant/Plaintiff in the within action; that the deponent has read the foregoing NOTICE OF CLAIM and knows the contents hereof; that the same is true to the deponent's knowledge, except as to the matters herein stated to be alleged upon information and belief, and that as to those matters the deponent believes them to be true.

Signed by:
Rachel Wendt

RACHEL WENDT

Sworn to before me this 13 day
of November, 2025.

[Signature]

NOTARY PUBLIC

Thomas Paul Patti
Notary Public, State of New York
Reg. No. 02PA6417187
Qualified in Niagara County
My Commission Expires 05/10/ 2029



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 12, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

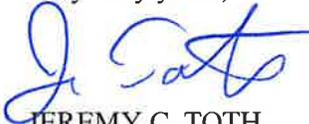
Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Burke, Matthew v. City of Buffalo and County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Matthew M. Burke 6475 Lake Shore Road Derby, New York 14047
Claimant's attorney:	Kevin J. Keane, Esq. O'Brien & Ford, P.C. 4549 Main Street, Suite 201 Buffalo, New York 14226

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

MATTHEW M. BURKE

Claimant,

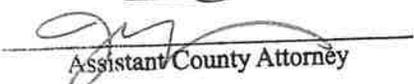
vs.

CITY OF BUFFALO,
COUNTY OF ERIE

Respondents.

VERIFIED NOTICE OF CLAIM

This paper received at the
Erie County Attorney's Office
from *Tina MacCarrick*
the *3rd* day of *November*, 20 *25*
at *10:00* a.m./p.m.


Assistant County Attorney

TO: CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

COUNTY OF ERIE
Edward A. Rath
County Office Building
95 Franklin Street
Buffalo, New York 14202

PLEASE TAKE NOTICE that Claimant Matthew M. Burke hereby makes, in accordance with General Municipal Law Section 50-e, a claim and demands against Respondents City of Buffalo, and the County of Erie (hereinafter "Respondents") as follows:

1. The name and address of Claimant: Matthew M. Burke (hereinafter "Claimant"), 6475 Lake Shore Road, Derby, New York 14047.
2. The attorneys for the Claimant are O'Brien & Ford, P.C., 4549 Main Street, Suite 201, Buffalo, New York 14226, Telephone Number (716) 222-2222.

3. This is a negligence case stemming from Claimant's fall in an area owned, controlled, maintained, and/or repaired by the Respondents herein. The time and place where such claim occurred and the nature of such claims are as follows: On or about August 9, 2025, at approximately 8:20 p.m., Claimant fell in the concourse located on the one hundred level, at, near or around Aisle 5, more particularized as between the small number 36 painted on the floor outside the men's room and the large number 35 on the floor in front of La Nova in the real property located at One Seymour H. Knox Plaza, Buffalo, New York 14203. (A photograph depicting the site of the fall is attached hereto as Exhibit A).

4. Matthew M. Burke was a licensee/invitee/guest/patron of the Key Bank Center, with a location of 1 Seymour H. Knox III Plaza, Buffalo, New York 14203.

5. As a result of the fall, Claimant sustained severe and permanent injuries. As hereinafter set forth, such severe and permanent injuries were due to the negligence, carelessness, and recklessness of the Respondents herein.

6. Upon information and belief, and at all times hereinafter mentioned, Respondents owned, maintained, serviced, and controlled the aforementioned area where Claimant fell.

7. Among other things, there existed a liquid defect at the area of the fall, which was actually and affirmatively created by the Respondents.

8. Upon information and belief, and at all times hereinafter mentioned, Respondents either created the aforementioned dangerous conditions which Claimant

encountered or had actual and/or constructive notice of the aforementioned dangerous conditions and failed to remedy such defects in a timely manner.

9. Furthermore, upon information and belief, and at all times hereinafter mentioned, Respondents were negligent, carelessness and reckless in, among other things: failing to properly maintain the area where Claimant fell; creating dangerous condition(s); failing to timely remove a dangerous condition from the premises; failing to warn of dangerous conditions in an area known to be traversed by licensees/invitees/guests/patrons, including Claimant; failing to properly maintain the property; failing to properly supervise and/or monitor the actions of third parties contracted to maintain the area; for having notice, either actual or constructive, of the dangerous conditions and failing to remedy such conditions before Claimant's fall; and for other careless, negligent and reckless acts.

10. At all times hereinafter mentioned, as a result of the negligence, carelessness and recklessness of Respondents, the Claimant suffered serious and permanent injuries, internal as well as external, the full extent of which are unknown at this time including, but not limited to: a rupture of the right hamstring, neck, back, shoulders, legs, and has sustained injuries to the bones, muscles, tendons, ligaments, nerves, blood vessels, and soft tissues in the injured areas, and such injuries are accompanied by pain, discomfort, limitations of motion, shock to the nerves and nervous system; and as a result of the negligence, carelessness and recklessness of the Respondents, the Claimant was caused to incur certain medical expenses and, upon information and belief, will continue to incur medical expenses in the future; has been

caused to sustain a loss of wages and other economic loss and, upon information and belief, will sustain future loss of wages and other economic loss; has been caused to sustain pain and suffering as a result of his injuries and, upon information and belief, will continue to sustain pain and suffering as a result of his injuries in the future; has been and will be incapacitated from performing his usual and customary daily duties, engage in social activities, work, perform physical activities, perform household chores and/or maintenance, and otherwise fulfill his obligations of daily living, all to his damage in a sum which exceeds the jurisdictional limits of all Courts of lower jurisdiction. Further injuries may be identified within the medical records of Claimant as his treatment continues.

11. This Notice is made and served on behalf of Claimant in compliance with the provisions set forth in the General Municipal Law Section 50-e and such other laws as may be relevant.

12. The undersigned therefore presents this Claim for adjustment and payment and notifies you that unless same is adjusted, compromised and/or paid within the time provided by law from the date of its presentation to you, it is the intention of the undersigned to commence an action.

WHEREFORE, Claimant requests that these claims be allowed and paid for by Respondents, and for such other and further relief that may be appropriate.

DATED: Buffalo, New York
October 31, 2025


Matthew M. Burke


Kevin J. Keane, Esq.
O'Brien & Ford, P.C.
Attorneys for Plaintiff
4549 Main Street, Suite 201
Buffalo, NY 14226
(716) 222-2222

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF ERIE)

Matthew M. Burke, being duly sworn, deposes and says:

That Deponent is the Claimant in the within action;

That Deponent has read the foregoing Notice of Claim and knows the contents thereof;

That the same is true to Deponent's own 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.


MATTHEW M. BURKE

Sworn to before me this 30th day of
October, 2025.



NOTARY PUBLIC

DOROTHY A. KEANE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 09/08/ 2026

EXHIBIT A





COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 15, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

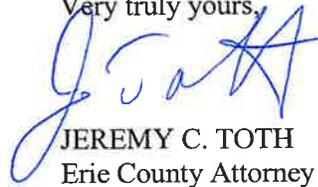
Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Turner, Garry v. County of Erie</i>
Document Received:	NYS Division of Human Rights Charge of Discrimination
Name of Claimant:	Garry P. Turner 266 Elmwood Avenue, Apt. 514 Buffalo, New York 14222
Claimant's attorney:	Claimant is proceeding <i>pro se</i> .

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF
HUMAN RIGHTS on the Complaint of

GARRY P. TURNER,

Complainant,

v.

COUNTY OF ERIE,

Respondent.

COMPLAINT

Pursuant to Executive Law,
Article 15

Case No.

10231546

I, Garry P. Turner, residing at 266 Elmwood Avenue Apt 514, Buffalo, NY, 14222, charge the above named respondent, whose address is Attn: Jeremy C. Toth, Esq. First Assistant County Attorney 95 Franklin St., Rm. 1634, Buffalo, NY, 14202 with an unlawful discriminatory practice relating to public accommodation in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of disability, race/color.

Date most recent or continuing discrimination took place is 12/12/2023.

The allegations are:

SEE ATTACHED.

Based on the foregoing, I charge respondent with an unlawful discriminatory practice relating to public accommodation because of disability, race/color, in violation of the New York State Human Rights Law (Executive Law, Article 15), Section 296.

New York State Division of Human Rights Complaint Form

Individual filing the complaint

Please provide the information requested below.

First Name

Garry

Middle Initial

P

Last Name

Turner

Street Address

266 Elmwood Avenue PO BOX 514

City

Buffalo

State

NY

Zip

14222

Are you completing this form for someone else?

No

Your complaint

Jurisdiction

Place of Public Accommodation

Public Accommodations

Acts of alleged discrimination:

- Denied access to public accommodation
- Denied equal advantages, facilities and privileges of public accommodation
- Denied reasonable accommodation for disability
- Harassed/intimidated (other than sexual harassment) on any basis indicated above

Basis

Basis of alleged discrimination in a place of public accommodation:

- Disability** (a physical or mental condition; includes denial of reasonable accommodation)
- Race/Color** (because you are Asian, Black, White, etc.; includes ethnicity; includes traits historically associated with race such as hair texture or hairstyle)

Please specify race/color:

African

Please specify disability:

Mobility Handicap/ heart disease with type 2 sugar diabetes, diverticulitis, and diverticulitis disease with blurred Visions ,

You are filing a complaint against

Entity that discriminated against you:

RECEIVED
DEC 12 2023
Buffalo EFAX/INBOX

Name of entity

211 services of Erie County Department of Social Services

Street Address

1170 Main Street ,

City

Buffalo

State

NY

Zip

14202

In what county or borough did the violation take place?

Erie

Phone Number

(716)858-8000 (888)696-9211

Email address

info211wny@gmail.com

Fax Number

5857868890

Company Website

211WNY.org

Please provide the name, last name, and title of individual people who discriminated against you.

Supervisor Loura of 211 Services of WNY.
Supervisor's of Erie County Dept Social Services 211 Replacement Services who is 2 African American Woman on the first floor and 1 White Male Supervisor who's names were never made aware to me by reason they ID name's tag was absent when interviewing me.

Please provide the email addresses of individual people who discriminated against you.

After calling them they refuse to give me their direct email address. and their fax numbers.

Date of the most recent act of alleged discrimination

12/12/2023

Description of discrimination

Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and other details. You must explain why you think these acts were discriminatory and how these acts are connected to the protected class (race, color, sex, disability, etc.) you selected previously. If you have supporting documentation or evidence, you may provide it later.

On the 11/3/23 I Garry Turner was medically diagnose with Covid-19 by Sister of Mercy Hospital in Buffalo NY, after visiting them in an emergency situation from being "Ail. before I went to the hospital I was staying in a homeless shelter which is called little portion friary located at 1305 Main street in Buffalo New York. One of the main rules within the homeless shelter company policy is any guest that gets "Covid -19 cannot under any circumstance stay at the shelter putting other guest at risk of catching it. so with no other choice I called the Erie County 211 services and was placed for only 1 day in a hotel called the "University Manor" motel in Buffalo NY, I could not stay at any other Men Shelter because of fear by other shelters of infecting other guest staying their. So the very next day I went to the Erie County. Department of Social Services which is required by "211 of WNY western New York. the Erie County Department of Social Services Social Worker name "Paula along with two African American Women who were social workers as well has directed to me that we are not sending you nowhere, than shouted to security he is done and they escorted off the premises. looking for a direct explanation the very next day I returned looking for answers because was not rude nor disrespectful to the social workers at all and could not make any since of the matter. When my ticket number was called I asked to speak to a GM or a Supervisor to find out why I'm not being treated the same as Migrant the just recently came to the city of Buffalo NY and has been place extremely rapidly in all if not most of the Hotels and Motels in western New York who are not even "Americans and can't even speak "English.so when I asked this exact question to the same 2 African American Women Social Workers whom names are not known to me because they was not ware-in their License ID Badge. and would not let me speak at all and had me escorted out the social service building by security again. leaving me with no choice of the situation I had called western New York 211 services again for help they told me that Erie County Department of Social Services had instructed them not to help me unless I give them all my disability Money I have from the federal government "Social Security Disability. I than told 211 WNY, that this is absolutely not possible bercause I pay monthly expenses such as medical drug prescriptions premiums, and storage monthly fees, as well as for my personal care needs such men cosmetics. Mens socks Est, and must save Money to pay for my next place of residents bercause "Erie County Dept of Social Service would not pay my first month and second month rent on an apartment nor furniture est. In comparison with others such as white Americans and the new "Migrants who recently just arrive to "WNY and gets superbly funded by both local, state as well as the federal "Government. they receive way more disability "money and other unaccounted "Money than I have who gets place in hotels for years. they even have vehicles, and gets free food from top notched "Resturants delivered to their hotels rooms from five star Restaurant's for free at the American tax payers expenses. with the kind of income I receive it is not even enough for me to get an Apartment in western New York causing me to be a victim of income discrimination at the age of 54 who are 100 percent handicap and homeless "211 WNY services on the code blues days of 12/12/23 and 12/12/23 has caused me to be hospitalized in an emergency catching frost bites and hyperthermia several times from denying me replacement services from social services.my health issues are as fallow (1) blurred vision from being a type 2 sugar diabetic. And needing a place to stay that will enable me to store my insulin in refrigerator so it can be cooled and won't go bad. (2) having extremely limited mobility of my left leg from having a total knee replacement that did not have a successful surgery last year to the point that the left knee gives way unexpectedly most of the time having not much stability. to the point a second major surgery is naidid. (3) a third surgery is kneaded for the left shoulder to repair a total left shoulder rotator cup repair which will happen 6 weeks after the left knee surgery.(4) the third surgery is needed for the right shoulder for a complete total "Muscle tear. other health problems consist of colitis disease, heart disease including most recently being diagnose with having Ehstao arthritis all over my body while being homeless on the streets because I cannot get in no shelters dispite having "Covid-19.

Declaration

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (if you have another action pending and still wish to file, please contact our office to discuss.)

Please initial:

GT

I affirm under penalties of perjury, that I am the complainant herein; that I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Garry Turner

Enter today's date.

12/12/2023



JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 28, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

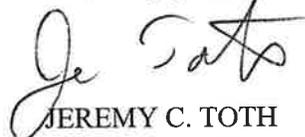
Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Bialaszewski, Thomas v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Thomas Bialaszewski 9441 Boston State Road, Apt. 4 Glenwood, New York 14069
Claimant's attorney:	Richard A. Nicotra, Esq. Nicotra Law Firm, PC 487 Main Street, Suite 500 Buffalo, NY 14203

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

R E C E I V E D
NOV 26 2025

**STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE**

**ERIE COUNTY
DEPARTMENT OF LAW**

THOMAS BIALASZEWSKI
9441 Boston State Road, Apt 4
Glenwood, NY 14069

Claimant,

NOTICE OF CLAIM

vs.

COUNTY OF ERIE
Edward A. Rath County Office Building
95 Franklin Street
Buffalo, NY 14202

TOWN OF BOSTON
8500 Boston State Road
Boston, NY 14025

HIGHWAY DEPARTMENT
TOWN OF BOSTON
8500 Boston State Road
Boston, NY 14025

Respondents.

PLEASE TAKE NOTICE, that the Claimant, THOMAS BIALASZEWSKI, hereby intends to file a claim against the COUNTY OF ERIE, the TOWN OF BOSTON, and the TOWN OF BOSTON HIGHWAY DEPARTMENT in support of said claim states the following:

1. The Post Office address of the Claimant, THOMAS BIALASZEWSKI is 9441 Boston State Road, Apartment 4, Glenwood, NY 14069.
2. The attorneys for the Claimants are The Nicotra Law Firm, located at 487 Main Street, Buffalo, New York 14203, Telephone (716) 333-3000.
3. The Claim arose as follows: On September 5th, 2025, Claimant THOMAS BIALASZEWSKI, was thrown from his e-bike on the shoulder of Boston State Road after traversing an upheaval in the pavement. Photographs of that upheaval are attached hereto as **Exhibit A**. Upon information and belief, the respondents own, control, maintain and/or

regularly inspect the shoulder of the road at and near 7245 Boston State Road, North Boston, NY.

4. This incident was caused by the negligence, carelessness, and recklessness of the COUNTY OF ERIE, the TOWN OF BOSTON, and the TOWN OF BOSTON HIGHWAY DEPARTMENT, and/or their agents, servants and/or employees as follows:

- a. Negligently creating a dangerous condition in the subject area;
- b. Negligently failing to properly caution and/or failing to warn the Claimant of the dangerous and hazardous conditions in the subject area;
- c. Negligently failing to maintain the shoulder of the road and subject area in a reasonably safe condition;
- d. Negligently failing to recognize a known dangerous and hazardous condition;
- e. Negligently failing to take proper measures to correct the dangerous and hazardous condition regarding the shoulder of the road and the subject area;
- f. Negligent inspection and maintenance of the shoulder of the road and the subject area;
- g. Negligent supervision of the shoulder of the road and the subject area; and,
- h. The Respondents were otherwise negligent;

5. This Claim is for personal injuries, conscious physical and emotional pain and suffering of Claimant, THOMAS BIALASZEWSKI, as well as medical expenses and consequential damages incurred by Claimant, THOMAS BIALASZEWSKI.

6. By virtue of the negligence and carelessness of the COUNTY OF ERIE, the TOWN OF BOSTON, and the TOWN OF BOSTON HIGHWAY DEPARTMENT, Claimant

THOMAS BIALASZEWSKI was caused to suffer serious, significant and permanent injuries, including but not limited to a fractured leg, due to this incident. Claimant THOMAS BIALASZEWSKI also suffered other injuries and complications as yet undetermined as a result of this accident and, and by reason of the same, Claimant, THOMAS BIALASZEWSKI, sustained damages in an amount which cannot be reasonably calculated at this time.

7. By virtue of the negligence and carelessness of the TOWN OF BOSTON, Claimant, THOMAS BIALASZEWSKI, has also incurred hospital and medical expenses and other necessary related expenses, the amount of which is undetermined to date.

WHEREFORE, Claimant, THOMAS BIALASZEWSKI, requests that the TOWN OF BOSTON compensate him for his injuries and loss.

Dated: Buffalo, New York
October 14, 2025

Yours, etc.,

THE NICOTRA LAW FIRM, PLLC

By:

Richard A. Nicotra, Esq.
**THE NICOTRA LAW FIRM,
PLLC**
Attorney for Claimant
487 Main Street
Buffalo, New York 14203
(716) 333-3000

VERIFICATION

STATE OF NEW YORK :
COUNTY OF ERIE : ss.
TOWN OF BOSTON :

THOMAS BIALASZEWSKI, being duly sworn, deposes and says that he is the Claimant in this action for himself; that he has read the foregoing Notice of Claim in this action and knows the contents thereof; that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, he believes them to be true.


THOMAS BIALASZEWSKI

Sworn to before me this 18th day of
November, 2025


Notary Public

SANDRA L. QUINLAN
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES NOVEMBER 23, 2027



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 29, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Miles, Melvin v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Melvin Miles 76 Bradley Street Buffalo, New York 14216
Claimant's attorney:	Steven M. Cohen, Esq. Tiveron Law PLLC 2410 North Forest Road Getzville, New York 14068

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK : COUNTY OF ERIE

In the Matter of the Claim of

MELVIN MILES,

NOTICE OF CLAIM

Claimants,

-against-

CITY OF BUFFALO,
CITY OF BUFFALO POLICE DEPARTMENT and
COUNTY OF ERIE,

Respondents.

TO: CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

CITY OF BUFFALO POLICE DEPARTMENT
68 Court Street
Buffalo, New York 14202

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

CC: CITY OF BUFFALO CORPORATION COUNSEL
65 Niagara Square, Rm. 1100
Buffalo, New York 14202

ERIE COUNTY ATTORNEY'S OFFICE
95 Franklin Street
Buffalo, New York 14202

PLEASE TAKE NOTICE, that the named Claimant MELVIN MILES hereby makes claims and demands against the CITY OF BUFFALO, CITY OF BUFFALO POLICE DEPARTMENT and COUNTY OF ERIE pursuant to § 50-e of the General Municipal Law, as follows:

Tiveron Law, PLLC

2410 NORTH FOREST ROAD | SUITE 301 | AMHERST, NEW YORK 14068
Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.tiveronlaw.com

1. The names and post-office addresses of the Claimant and his attorneys are:

CLAIMANT

Melvin Miles
76 Bradley Street
Buffalo, New York 14216

ATTORNEY

Tiveron Law, PLLC
Steven M. Cohen, Esq
2410 North Forest Road, Suite 301
Amherst, New York 14068

2. The nature of the claim: This is an action for recovery of damages arising out of damages to and injuries sustained by Claimant, caused solely by the tortious conduct of the City of Buffalo, City of Buffalo Police Department and County of Erie including, but not limited to violation of Claimant's civil and constitutional rights, assault, battery, excessive use of force, false arrest, false imprisonment, abuse of process, deprivation of liberty without due process of law, pattern and practice of harassment, intimidation, malicious prosecution, discrimination, negligence, administrative negligence, intentional and negligent infliction of emotional distress, negligent hiring, training, and supervision of police officers and staff employed by Respondents, employer liability for employee acts, all caused by the negligent, reckless, intentional and careless actions of the City of Buffalo, the Buffalo Police Department, the County of Erie and their agents, servants and/or employees. The Claimant was illegally and unlawfully attacked, harassed, battered and seized, without just cause and deprived of his civil and constitutional right without basis and/or reason. The Claimant sustained physical injuries and economic loss as a result of Respondent's tortious actions.

3. The date, time when, place where, and the manner in which the claim arose is as follows: On or about August 8, 2025, at approximately 3:00 a.m., Claimant and his girlfriend became engaged in a verbal dispute at their residence, 76 Bradley Street, Buffalo, New York. Both had been consuming alcoholic beverages at the time. Aware that he was not in the best state of mind, Claimant attempted to leave the home to prevent the situation from escalating. His girlfriend,

however, objected to him leaving. Concerned about disturbing their five children, ages one through twelve, who were asleep inside the home, Claimant contacted 911 to request assistance in de-escalating the situation.

Upon arrival, Buffalo Police Officers were unable to gain entry through the side or rear doors due to broken handles. Instead of employing alternative measures, the officers forcibly breached two rear doors. Upon entering the residence, the officers exhibited a threatening demeanor, which prompted Claimant to climb out of a window in fear for his personal safety. Without making any effort to ascertain facts regarding Claimant, his girlfriend, or the circumstances of the dispute, the officers proceeded to violently arrest Claimant. During the arrest, Claimant was tased multiple times, causing him to fall and strike his head, and was further punched, kicked, and forcibly handcuffed. At one point, an officer knelt on Claimant's neck, restricting his ability to breathe. As a result of this excessive force, Claimant lost consciousness for an extended period prior to being transported to the hospital.

Throughout the incident, the officers directed multiple verbal threats toward Claimant, including threats to shoot him and to involve Child Protective Services to remove his children. Claimant also observed his girlfriend being violently arrested. The minor children were left unattended in the home for approximately one hour, until a witness was able to contact his girlfriend's mother to come to the home. Additionally, officers intentionally damaged property belonging to Claimant and his girlfriend, including a television and a cellphone.

Following this incident, Claimant was wrongfully charged with menacing a police officer, resisting arrest, and child endangerment, and unlawfully detained for thirteen days. Several of the officers involved were later suspended for their conduct.

4. **The items of damages or injuries claimed are:** Claimant Melvin Miles suffered severe and life-threatening physical injuries, including, but not limited to, hemopneumothorax, seven fractured ribs, a broken nose, and multiple lacerations to his face, head, legs, and left wrist. The full extent of these injuries is not yet known. Due to the severity of his condition, Claimant required intubation and sedation, with a Glasgow Coma Scale score of 7. He also experienced emotional and psychological injuries in the form of mental anguish, sleep deprivation, anxiety, depression, stress and post-traumatic stress, pain and suffering, loss of enjoyment of life, and all associated damages. The Claimant has incurred, and will continue to incur, medical expenses as well as ongoing financial and legal costs. Said claim and demand in the amount of five million dollars (\$5,000,000.00) is hereby presented for adjustment and payment on the tortious conduct alleged herein. The sum is separate and apart from any claims based on Constitutional, contract and other non-tortious violations for which no Notice of Claim is required pursuant to NY GML § 50, et seq.

Dated: November 4, 2025
Amherst, New York

TIVERON LAW PLLC

By:


Steven M. Cohen, Esq.
Attorneys for Claimant
2410 North Forest Road, Suite 301
Amherst, New York 14068
(716) 636-7600
scohen@tiveronlaw.com

Tiveron Law, PLLC

2410 NORTH FOREST ROAD | SUITE 301 | AMHERST, NEW YORK 14068
Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.tiveronlaw.com

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Page 64 of 98

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF ERIE)

Melvin Miles, under penalties of perjury, affirms the following:

That deponent is the Claimant in this matter; that deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the deponent's own knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters believes it to be true.

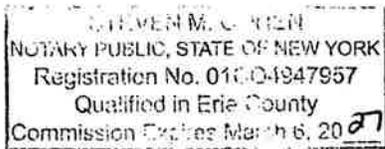


Melvin Miles

Sworn to before me this
4 day of November 2025.



NOTARY PUBLIC



MEMORANDUM

TO: THE PRESIDENT

FROM: [Name]

SUBJECT: [Topic]

[Faint body text]



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 29, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Leak, Tia v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Tia Leak 76 Bradley Street Buffalo, New York 14216
Claimant's attorney:	Steven M. Cohen, Esq. Tiveron Law PLLC 2410 North Forest Road Getzville, New York 14068

Should you have any questions, please call.

Very truly yours,

JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK : COUNTY OF ERIE

In the Matter of the Claim of

TIA LEAK

NOTICE OF CLAIM

Claimants,

-against-

CITY OF BUFFALO,
CITY OF BUFFALO POLICE DEPARTMENT and
COUNTY OF ERIE,

Respondents.

TO: CITY OF BUFFALO
65 Niagara Square
Buffalo, New York 14202

CITY OF BUFFALO POLICE DEPARTMENT
68 Court Street
Buffalo, New York 14202

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

CC: CITY OF BUFFALO CORPORATION COUNSEL
65 Niagara Square, Rm. 1100
Buffalo, New York 14202

ERIE COUNTY ATTORNEY'S OFFICE
95 Franklin Street
Buffalo, New York 14202

PLEASE TAKE NOTICE, that the named Claimant TIA LEAK hereby makes claims and demands against the CITY OF BUFFALO, CITY OF BUFFALO POLICE DEPARTMENT and COUNTY OF ERIE pursuant to § 50-e of the General Municipal Law, as follows:

1. The names and post-office addresses of the Claimant and her attorneys are:

CLAIMANT

Tia Leak
76 Bradley Street
Buffalo, New York 14216

ATTORNEY

Tiveron Law, PLLC
Steven M. Cohen, Esq
2410 North Forest Road, Suite 301
Amherst, New York 14068

2. The nature of the claim: This is an action for recovery of damages arising out of damages to and injuries sustained by Claimant, caused solely by the tortious conduct of the City of Buffalo, City of Buffalo Police Department and County of Erie including, but not limited to the violation of Claimant's civil and constitutional rights, assault, battery, excessive use of force, false arrest, false imprisonment, abuse of process, deprivation of liberty without due process of law, pattern and practice of harassment, intimidation, malicious prosecution, discrimination, negligence, administrative negligence, intentional and negligent infliction of emotional distress, negligent hiring, training, and supervision of police officers and staff employed by Respondents, employer liability for employee acts, all caused by the negligent, reckless, intentional and careless actions of the City of Buffalo, the Buffalo Police Department, the County of Erie and their agents, servants and/or employees. The Claimant was illegally and unlawfully attacked, harassed, battered and seized, without just cause and deprived of her civil and constitutional right without basis and/or reason. The Claimant sustained physical injuries and economic loss as a result of Respondent's tortious actions.

3. The date, time when, place where, and the manner in which the claim arose is as follows: On or about August 8, 2025, at approximately 3:00 a.m., Claimant and her boyfriend became engaged in a verbal dispute at their residence located at 76 Bradley Street, Buffalo, New York. Both had been consuming alcoholic beverages at the time. When Claimant's boyfriend attempted to leave the residence to prevent the argument, Claimant requested that he stay, which

gave rise to the argument. In order to avoid disturbing his five minor children, ages one through twelve, who were asleep inside the home, Claimant's boyfriend contacted 911 to request police assistance in de-escalating the situation.

Upon arrival, Buffalo Police Officers attempted entry through the side and rear doors but were unable to do so due to broken handles. Instead of employing alternative measures, the officers forcibly breached two rear doors. Claimant's boyfriend became scared of the officers' threatening demeanor and climbed out of a window in fear for his safety. Without making any effort to ascertain facts regarding Claimant, her boyfriend, or the circumstances of the dispute, the officers proceeded to violently arrest Claimant's boyfriend. Claimant heard her boyfriend screaming for help and came outside to render assistance. She did not realize she was still holding a knife and scissors used to open the broken door, with which she never threatened any officer or civilian.

Officers immediately tackled Claimant to the ground, punched her in the face, and violently handcuffed her, causing deep abrasions to her wrists and a laceration to her hand. Claimant was then placed into the back of a patrol vehicle, during which officers slammed the door on her leg. While confined in the vehicle, officers sprayed pepper spray directly into her eyes and closed the doors and windows, leaving her struggling to breathe. Claimant repeatedly requested air and water, both of which were deliberately denied. When she attempted to draw attention by kicking the windows, an officer entered the vehicle, struck her, and then exited, providing no assistance.

During the course of the incident, officers verbally threatened Claimant, including threats to contact Child Protective Services to take their children. During this same period, the minor children were left unattended inside the residence for approximately one hour, until a witness was able to contact Claimant's mother to come to the home. In addition, officers intentionally damaged

Tiveron Law, PLLC

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Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.tiveronlaw.com

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property belonging to Claimant and her boyfriend, including, but not limited to, a television and a cellphone.

As a direct result of the foregoing, Claimant was wrongfully arrested and charged with menacing a police officer, resisting arrest, child endangerment, and obstruction of governmental administration. She was subjected to unnecessary physical violence, unlawful confinement, and extreme emotional distress. Several of the officers involved in the incident were subsequently suspended as a result of their misconduct.

4. The items of damages or injuries claimed are: Claimant Tia Leak suffered severe physical injuries, including, but not limited to, nerve damage to her left wrist, trauma to her left ear resulting in hearing impairment, chemical irritation to her eyes and respiratory tract, bruising on her wrists and lacerations on her head, face, elbows, wrist and knees. The full extent of these injuries is not yet known. She also experienced emotional and psychological injuries in the form of mental anguish, sleep deprivation, anxiety, depression, stress and post-traumatic stress, pain and suffering, loss of enjoyment of life, and all associated damages. The Claimant has incurred, and will continue to incur, medical expenses as well as ongoing financial and legal costs. Said claim and demand in the amount of one million seven hundred fifty thousand dollars (\$1,750,000.00) is hereby presented for adjustment and payment on the tortious conduct alleged herein. The sum is separate and apart from any claims based on Constitutional, contract and other non-tortious violations for which no Notice of Claim is required pursuant to NY GML § 50, et seq.

Tiveron Law, PLLC

2410 NORTH FOREST ROAD | SUITE 301 | AMHERST, NEW YORK 14068
Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.tiveronlaw.com

Dated: November 4, 2025
Amherst, New York

TIVERON LAW PLLC

By:



Steven M. Cohen, Esq.
Attorneys for Claimant
2410 North Forest Road, Suite 301
Amherst, New York 14068
(716) 636-7600
scohen@tiveronlaw.com

Tiveron Law, PLLC

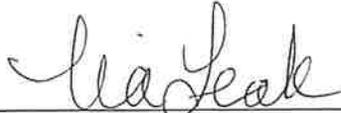
2410 NORTH FOREST ROAD | SUITE 301 | AMHERST, NEW YORK 14068
Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.tiveronlaw.com

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF ERIE)

Tia Leak, under penalties of perjury, affirms the following:

That deponent is the Claimant in this matter; that deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the deponent's own knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters believes it to be true.

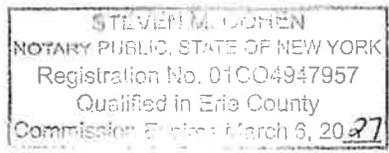


Tia Leak

Sworn to before me this
21 day of November 2025.



NOTARY PUBLIC





JEREMY C. TOTH
COUNTY ATTORNEY

COUNTY OF ERIE

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 29, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

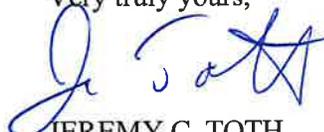
Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Abdulahadi, Fatma v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Fatma K. Abdulhadi 86 Pyle Court Tonawanda, New York 14150
Claimant's attorney:	Christopher D. D'Amato, Esq. Cellino Law, LLP 800 Delaware Avenue Buffalo, New York 14209

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ERIE

FATMA K. ABDULHADI

Plaintiff,

v.

NOTICE OF CLAIM

COUNTY OF ERIE
PETER J. BANNISTER

Defendant.

PLEASE TAKE NOTICE, that the above-named claimant claims and demands from the respondents COUNTY OF ERIE recompense for personal injuries and damages sustained by claimant by reason of the wrongful, negligent and careless acts and omissions of the respondents, their agents, servants and/or employees, and in support thereof, the claimant states:

1. Claimant's address is 86 Pyle Court, Tonawanda, NY 14150.
2. The claimant is represented by Cellino Law, LLP with offices located at 800 Delaware Avenue, Buffalo, NY 14209, telephone (888) 888-8888.
3. By virtue of the negligence of the employees, agents or servants of COUNTY OF ERIE, claimant is injured and has incurred medical and hospital expenses, which are to date undetermined and will incur loss of earnings, impairment of health and permanent injuries.
4. The incident in which claimant, FATMA K. ABDULHADI, sustained personal injuries, occurred on or about December 7, 2025 at approximately 3:27 p.m.

The incident occurred on Military Road near the intersection with Ensminger Road in the Town of Tonawanda, New York. A 2019 Volvo operated by Peter J. Bannister, an employee of defendant COUNTY OF ERIE, while in the left-hand lane, made a right hand turn striking FATMA K. ABDULHADI who was in the right-hand lane of travel. As a result of this incident, the claimant, FATMA K. ABDULHADI sustained injuries to her neck, back, and left toe. (Attached as **EXHIBIT A** is the Police Report).

5. The respondents, COUNTY OF ERIE, their employees, agents and/or servants were negligent by turning improperly from the incorrect lane.

6. Upon information and belief, claimant will be obligated further medical expenses including drugs, medicines and prosthetic devices, the amount of which cannot be reasonably calculated at this time.

7. These injuries will cause claimant FATMA K. ABDULHADI, loss of earnings, impairment of health, and upon information and belief are permanent in nature.

TAKE NOTICE that claimant demands payment of his claim as set forth above.

DATED: Buffalo, New York
January 13, 2026

CELLINO LAW LLP

By: _____
Christopher D. D'Amato, Esq.
Attorneys for Plaintiff
800 Delaware Avenue
Buffalo, NY 14209

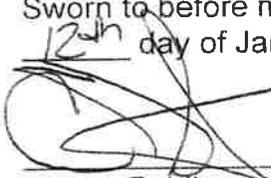
VERIFICATION

STATE OF NEW YORK) ss:
COUNTY OF ERIE)

Fatma K. Abdulhadi, being duly sworn, deposes and says that deponent is the Claimant in the within action; that deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.



Fatma K. Abdulhadi

Sworn to before me this
12th day of January 2026.


Notary Public

CHRISTOPHER D. D'AMATO
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 10/06/20 28

Exhibit A

New York State Department of Motor Vehicles
POLICE ACCIDENT REPORT
MV-104A (8/04)

Local Codes
25-112327
81E2442V8G1

AMENDED REPORT

1	Accident Date Month: 02 Day: 20 Year: 2025	Day of Week SUNDAY	Military Time 15:27	No. of Vehicles 2	No. Injured 0	No. Killed 0	Not Investigated at Scene Accident Reconstructed	Left Scene	Police Photos Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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2	VEHICLE 1 - Driver License ID Number: 489982970 Driver Name: BANNISTER, PETER JOHN Address: 152 CRESCENT AVE City/Town: BUFFALO State: NY Zip Code: 142140000				VEHICLE 2 - Driver License ID Number: 342701327 Driver Name: ABOLRAH, FATMA WAHID Address: 90 CLAREMONT AVE City/Town: TONAWANDA State: NY Zip Code: 142350000			
---	---	--	--	--	--	--	--	--

3	Date of Birth: 02/2/1989 Sex: M Unlicensed: No No. of Occupants: 01 Public Property Damaged: No	Date of Birth: 08/25/1999 Sex: F Unlicensed: No No. of Occupants: 01 Public Property Damaged: No
4	Name: ERIC, COUNTY City/Town: AMHERST State: NY Zip Code: 14226	Name: ALMAHDI, ANWER S City/Town: TONAWANDA State: NY Zip Code: 14150

5	Plate Number: BK5103 State of Reg: NY Vehicle Year & Make: 2014 VOLV Vehicle Type: DUMP mt. Code: 466	Plate Number: LSH7100 State of Reg: NY Vehicle Year & Make: 2012 JEEP Vehicle Type: SUVN mt. Code: 173
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7	VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact: 1 1 2 Box 2 - Most Damage: 1 1 2 Enter up to three more damage codes: 3 4 3	VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact: 10 10 Box 2 - Most Damage: 10 10 Enter up to three more damage codes: 10 9 4	ACCIDENT DIAGRAM See the last page of the MV-104A for the accident diagram.
---	--	---	--

Reference Marker:	Coordinates (if available): Latitude/Northing: 4766892 Longitude/Easting: 183147	Place Where Accident Occurred: County: 0812 City: Village: Town: of TONAWANDA Road on which accident occurred: MILITARY ROAD at 1) intersecting street: at 2) 150 of 5 of SHERMINGER RD
-------------------	--	--

Accident Description/Officer's notes:
Vehicle 1 which is an Erie County Highway truck was in the left driving lane traveling south when the operator was attempting to make a right turn into the County Highway barns located at 1800 Military Rd. Vehicle 2, also traveling south was in the right curb lane when struck by vehicle 1. Vehicle 1 had to make a wide right turn as it had both the front and passenger wing plow on the truck however the operator failed to make sure the right curb

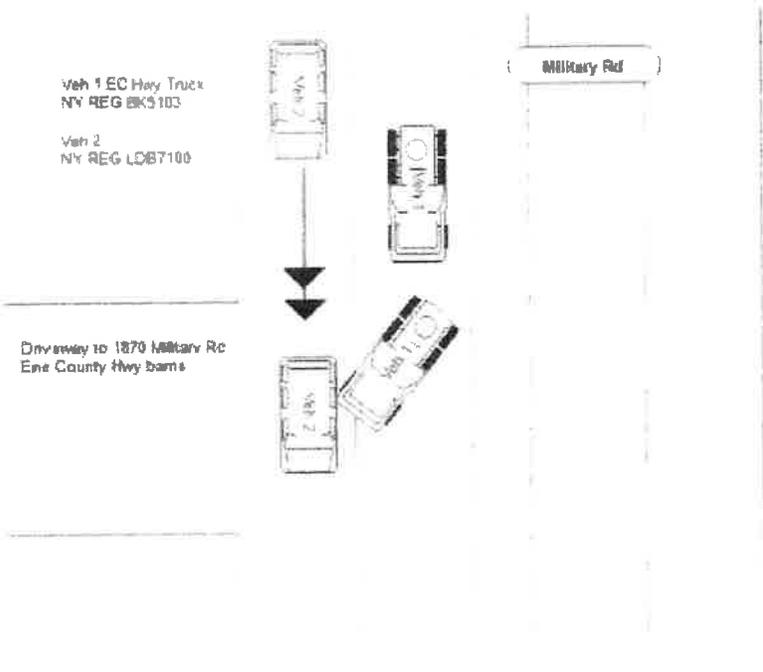
ALL INVOLVED	A	1	4	1	78	M				BANNISTER, PETER JO
	B	1	4	1	26	F				ABOLRAH, FATMA KH
	C									
	D									
	F									
Officer's Rank and Signature	DEPUTY	<i>[Signature]</i>	Badge ID No.	0269	WCIC No.	01400	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
Print Name in Full	GANNING	KRUMP							BIGASTIENIC, SIMON	12/24/2025 05:57

New York State Department of Motor Vehicles
POLICE ACCIDENT REPORT
 MV-104A (6/04)

Local Codes
 25-112327
 R1E084 L2V205

AMENDED REPORT

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene	Left Scene	Police Photos
Month	Day	Year						Accident Reconstructed		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12	7	2005	SUNDAY	13:27		0	0			





COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 30, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

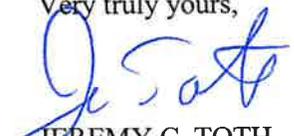
Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Shavers, Isaac v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Isaac Shavers 100 East Tupper Street Buffalo, New York 14203
Claimant's attorney:	Brian M. Dratch, Esq. The Dratch Law Firm, P.C. 233 Broadway, Suite 1800 New York, New York 10279

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

NOTICE OF CLAIM

In the Matter of the Claim of
ISSAC SHAVERS

-against-

COUNTY OF ERIE
ERIE COUNTY SHERRIFF'S DEPARTMENT

R E C E I V E D
DEC 15 2025

ERIE COUNTY
DEPARTMENT OF LAW

TO: COUNTY OF ERIE, 92 Franklin Street, Buffalo, New York 14202
COUNTY OF ERIE DEPARTMENT OF LAW, 95 Franklin Street, Room 1634, Buffalo,
New York 14202
Erie County Sheriff's Office 11581 Walden Avenue, Alden, New York 14004

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claims and demands against you as follows:

1. Name and post office address of each claimant and claimant's attorney is:

Claimants

Attorney

Isaac Shavers
100 East Tupper Street
Buffalo, New York 14203
DOB: 11/29/76

THE DRATCH LAW FIRM, P.C.
233 Broadway, Suite 1800
New York, NY 10279
(212) 571-1808

2. Nature of Claim:

Claim is for personal injuries, pain and suffering, medical and related expenses, and loss of enjoyment of life by Claimant arising out of the negligence, carelessness and recklessness of the respondents with respect to permitting and allowing a leaking ceiling to exist creating a hazardous and dangerous condition which caused Claimant to slip and fall causing severe and permanent personal injuries.

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

On or about October 7, 2025 at approximately 4:00 p.m., Claimant was confined to the Erie County Correctional Facility located 11581 Walden Avenue, Alden, New York in Oscar Dorm which premises are owned, operated maintained and controlled by respondents. As Claimant was walking in Oscar Dorm he was caused to slip and fall due to a leak emanating from the ceiling of Oscar Dorm.

The respondents were negligent, careless and reckless in permitting the ceiling to leak water onto to the floor of Oscar Dorm; in creating a trap and hazard, in failing to warn Claimant of the hazardous and dangerous condition, in failing to fix the leak in the ceiling; in failing to barricade the area where the leak was coming from and respondents were otherwise careless and negligent

4. The items of damage or injuries claimed are (include dollar amounts)

Claim for personal injuries, including but not limited to severe injuries to multiple to his back, neck, legs and other parts of her body for which he continues to be treated.

TOTAL AMOUNT CLAIMED TOTAL AMOUNT CLAIMED An amount exceeding the jurisdictional limits of all lower Courts save the Supreme Court of the State of New York, but not less than five million dollars

THE DRATCH LAW FIRM, P.C.
Attorney for Claimant



BRIAN M. DRATCH
233 Broadway, Suite 1800
New York, NY 10279

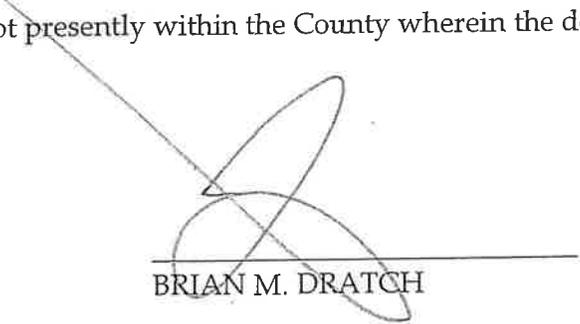
DATED: New York, New York
December 10, 2025

VERIFICATION

I, the undersigned, an attorney admitted to practice law in the courts of New York State, state that I am a member of the firm of THE DRATCH LAW FIRM, P.C., 233 Broadway, Suite 1800, Borough of Manhattan, City and State of New York, attorneys for the plaintiff in the within matter; that he has read and knows the contents of the foregoing **NOTICE OF CLAIM** and that the same is true to the knowledge of deponent except as to the matters therein stated to be alleged upon information and belief and as to those matters he believes it to be true. Deponent further says that the sources of information and the grounds of his belief as to all the matters therein not stated to be upon his knowledge are as follows:

Investigations which deponent has caused to be made and reports thereon and communications had with the plaintiff in this action.

Deponent further says that the reason why this verification is not made by the plaintiff is that said plaintiff is not presently within the County wherein the deponent has his office.



BRIAN M. DRATCH



COUNTY OF ERIE

JEREMY C. TOTH
COUNTY ATTORNEY

KRISTEN M. WALDER
DEPUTY COUNTY ATTORNEY

DEPARTMENT OF LAW

January 30, 2026

Ms. Olivia Owens, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. Owens:

In compliance with Resolution No. 306 passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Lasher, Laura v. County of Erie, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Laura Lasher 2114 North Avenue Niagara Falls, New York 14305
Claimant's attorney:	Robert J. Maranto, Jr., Esq. Andrews, Bernstein & Maranto, PLLC 420 Franklin Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,


JEREMY C. TOTH
Erie County Attorney

JCT:dld
Enc.

**STATE OF NEW YORK
SUPREME COURT : ERIE COUNTY**

LAURA LASHER
2114 North Avenue
Niagara Falls, New York 14305

Claimant,

NOTICE OF CLAIM

vs.

COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

ERIE COUNTY STADIUM CORPORATION
633 Third Avenue
New York, New York 10017

BUFFALO BILLS, LLC
1 Bills Drive
Orchard Park, New York 14127

Respondents.

PLEASE TAKE NOTICE, Claimant, LAURA LASHER, (hereinafter "Claimant") hereby intends to file a Claim against COUNTY OF ERIE, ERIE COUNTY STADIUM CORPORATION, and BUFFALO BILLS, LLC (hereinafter "Respondents") and in support of said Claim states the following:

1. The Post Office address of the Claimant is 2114 North Avenue Niagara Falls, New York 14305
2. The attorneys for the Claimant are Andrews, Bernstein & Maranto, PLLC, 420 Franklin Street, Buffalo, New York 14202; Telephone (716) 842-2200.
3. The Claim arose as follows: On or about September 18, 2025, at approximately 1:30p.m., Claimant exited The Bills Store, located at 1 Bills Drive in the Town of Orchard Park and

state of New York. While proceeding towards her vehicle, Claimant was caused to trip and fall due to an irregularly shaped grey boulder used as a vehicle barrier which was visually indistinguishable from the surrounding cement. The rock is photographed and attached hereto as Exhibit A.

4. This incident was caused by the negligence, carelessness, and/or recklessness of Respondents, and/or their agents, servants and/or employees as follows:

- a. Negligently, carelessly, and recklessly creating a dangerous and hazardous condition in the subject area;
- b. Negligently, carelessly, and recklessly failing to properly caution and/or failing to warn the Claimant of the dangerous and hazardous conditions in the subject area;
- c. Negligently, carelessly, and recklessly failing to take proper measures to correct the dangerous and hazardous condition regarding the subject area;
- d. Negligent, careless, and reckless inspection and maintenance of the subject area;
- e. Negligent, careless, and reckless supervision of the subject area;
- f. The Respondent was otherwise negligent.

5. This Claim is for personal injuries, conscious physical, and emotional pain and suffering of Claimant, as well as medical expenses and consequential damages.

6. By virtue of the negligence, carelessness and recklessness of Respondents, their agents, servants, and/or employees, Claimant was caused to suffer serious, significant and permanent injuries from this incident, including but not limited to, her face, right shoulder, right arm, right hand, and bilateral knees.

7. Claimant also suffered other injuries and complications as yet to be determined as a result of this incident. Claimant sustained damages in an amount which cannot be reasonably

calculated at this time.

8. By virtue of the negligence, carelessness, and recklessness of Respondents, their agents, servants, and/or employees, Claimant has also incurred hospital and medical expenses, and other necessary related expenses, the amount of which is undetermined to date.

WHEREFORE, Claimant requests that Respondents timely accept, adjust and resolve Claimant's claim for injuries.

Dated: Buffalo, New York
November 12, 2025

Yours, etc.,

By: /s/ Robert J. Maranto III
Robert J. Maranto III, Esq.
ANDREWS, BERNSTEIN & MARANTO, PLLC
Attorney for the Claimant
420 Franklin Street
Buffalo, New York 14202
(716) 842-2200

VERIFICATION

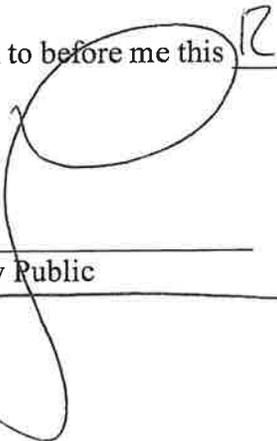
STATE OF NEW YORK :
COUNTY OF ERIE : ss.
CITY OF BUFFALO :

LAURA LASHER, being duly sworn, deposes and says that she is the Claimant in the above-captioned matter; that she has fully read the foregoing Notice of Claim knows the contents thereof; that the same is true to the best knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters, she believes them to be true.



LAURA LASHER

Sworn to before me this 12 day of November, 2025



Notary Public

Thomas P. Kotrys
Notary Public, State of New York
Reg. #02KO6434924
Qualified In Erie County
My Commission Expires June 13, 2026

EXHIBIT A



