MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

August 22, 2012

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Graber:

In compliance with the Resolution 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:	*Fuller, Anthony R., Jr., an Infant, by Rader, Tammy, Individually and as Parent & Natural Guardian v. County of Erie, Erie County Department of Social Services and Erie County Department of Social Services (Youth Bureau and Juvenile Justice/Detention Services)*
Document Received:	Notice of Claim
Name of Claimant:	Tammy Rader, p/n/g of Anthony R. Fuller, Jr. 15 St. Mary's Street Cheektowaga, New York 14225
Claimant's attorney:	Thomas M. Mercure, Esq. Lipsitz Green Scime Cambria LLP 42 Delaware Avenue, Suite 120 Buffalo, New York 14202-3924

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Enc.

cc: Michael A. Siragusa, Erie County Attorney

In the Matter of the Claim of
TAMMY RADER, Individually and as
Parent and Natural Guardian of
ANTHONY R. FULLER, Jr. an Infant,

Claimants,

- against -

THE COUNTY OF ERIE
ERIE COUNTY DEPARTMENT OF
SOCIAL SERVICES
and
ERIE COUNTY DEPARTMENT OF
SOCIAL SERVICES (Youth Bureau
and Juvenile Justice/Detention Services)

NOTICE OF CLAIM

RECEIVED
AUG 16 2012
E.C.D.S.S.
FAIR HEARINGS

TO: THE COUNTY OF ERIE
95 Franklin Street
Buffalo, New York 14202

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES
Rath County Office Building
95 Franklin Street
Buffalo, New York 14202

and

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES
(Youth Bureau and Juvenile Justice/Detention Services)
810 Ferry Street
Buffalo, New York 14211

PLEASE TAKE NOTICE, that TAMMY RADER, Individually and as Parent and Natural Guardian of ANTHONY R. FULLER, Jr. an Infant, has and hereby makes claim against THE COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES and ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES (Youth Bureau

and Juvenile Justice/Detention Services), and in support of said claim states the following:

1. The Post Office address of the claimant is 15 St. Mary's Street, Cheektowaga, New York 14225.

2. The attorneys for the claimants are LIPSITZ GREEN SCIME CAMBRIA LLP, and their Post Office address is 42 Delaware Avenue, Suite 120, Buffalo, New York 14202-3924.

3. The claim on behalf of the infant plaintiff ANTHONY R. FULLER, Jr. is for personal injuries, including without limitation, medical expenses, and the claim of TAMMY RADER is for loss of services, society and companionship as a result of her child's accident, and for consequential damages generally.

4. The claim arose at the ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES (Youth Bureau and Juvenile/Detention Services), located at 810 East Ferry Street, located within the City of Buffalo, County of Erie and State of New York.

5. The claim arose in substance as follows: On the 16th day of June, 2012, the infant claimant, ANTHONY R. FULLER, Jr., while detained at ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES (Youth Bureau and Juvenile Justice/Detention Services), was physically assaulted by another detained individual at said facility, resulting in serious injuries to the infant claimant.

6. 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, and more particularly, among other things, in

and/or employees of ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES (Youth Bureau and Juvenile Justice/Detention Services), and are in violation of the regulations, rules and standards promulgated thereunder.

9. Upon information and belief, as a result of the aforesaid incident, the infant claimant, ANTHONY R. FULLER, Jr., sustained severe bodily injuries and was painfully and seriously injured; was rendered sick, sore, lame and disabled; sustained pain and suffering and shock to his nerves and nervous system; and more particularly, the infant claimant, ANTHONY R. FULLER, Jr., sustained injuries, including but not limited to, in the nature of a facial fracture. Upon information and belief, these injuries will result in permanent defects.

10. As a result of the aforesaid incident and injuries sustained by TAMMY RADER, the claimant, Individually and as Parent and Natural Guardian of the infant claimant, ANTHONY R. FULLER, suffered the loss of services, society and companionship of her son to which she was fully entitled.

WHEREFORE, claimant requests that THE COUNTY OF ERIE, ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES and ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES (Youth Bureau and Juvenile Justice/Detention Services) honor and pay the claim on behalf of TAMMY RADER, Individually and as Parent and Natural Guardian of ANTHONY R. FULLER, Jr. an Infant.

DATED: Buffalo, New York
August 2, 2012

TAMMY RADER, Individually and as
Parent and Natural Guardian of
ANTHONY R. FULLER, Jr. an Infant

LIPSITZ GREEN SCIME CAMBRIA LLP

By:

THOMAS M. MERCURE, ESQ.
Attorneys for Claimants
Office and P.O. Address
42 Delaware Avenue, Suite 120
Buffalo, New York 14202-3924
(716) 849-1333
[TMM: #56368.0001]

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

TAMMY RADER, Individually and as Parent and Natural Guardian of ANTHONY R. FULLER, Jr. an Infant, being duly sworn deposes and says that she is the claimant above named; and makes this claim on behalf of self; she has read the foregoing claim and knows the contents thereof; the same is true to the knowledge of the claimant except for the matters herein alleged upon information and belief, and as to those matters, she believes them to be true.

TAMMY RADER, Individually and as
Parent and Natural Guardian of
ANTHONY R. FULLER, Jr. an Infant

Sworn to before me on this
6th day of August, 2012.

Notary Public

ANN MARIA CIOTOLI
Notary Public - State of New York
No. 01-CI6219251
Qualified in Erie County
My Commission Exp. 4-5-14

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