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

February 21, 2013

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:	*McGennis, Susan v. County of Erie and Erie Community College*
Document Received:	Notice of Claim
Name of Claimant:	Susan McGennis 81 Penhurst Park Buffalo, New York 14222
Claimant's attorney:	Ellen B. Sturm, Esq. Cellino & Barnes, P.C. 350 Main Street 2500 Main Place Tower Buffalo, New York 14202

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
Enclosure

STATE OF NEW YORK
SUPREME COURT : ERIE COUNTY
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SUSAN McGENNIS

Claimant,

v.

COUNTY OF ERIE
ERIE COMMUNITY COLLEGE

Respondents.

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NOTICE OF CLAIM

Index No.

PLEASE TAKE NOTICE, that the above named claimant claims and demands from the respondents, County of Erie and Erie Community College, 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 there of, the claimant states:

1. Claimant's address is 81 Penhurst Park, Buffalo, New York 14222.

2. The claimant is represented by Cellino & Barnes, P.C. with offices located at 2500 Main Place Tower, 350 Main Street, Buffalo, New York 14202, telephone (716) 854-2020.

3. The incident in which personal injuries were sustained by claimant occurred on or about October 31, 2012, at approximately 8:00 a.m. in a Clinical Rotation held on the 5th floor at the Erie County Medical Center in which claimant's nursing professor, Judith Bryant, was demonstrating an injection technique and injected a used needle into claimant's arm three times without the protective cap in place.

4. By virtue of the negligence of the County of Erie, Erie Community

College and its employees, agents or servants, claimant has incurred medical expenses which are to date undetermined and will incur loss of earnings, impairment of health and permanent injuries.

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

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

DATED: Buffalo, New York
January 28, 2013

Yours, etc.,

CELLINO & BARNES, P.C.

By: Ellen B. Sturm

Ellen B. Sturm, Esq.
Attorneys for Plaintiff
2500 Main Place Tower
350 Main Street
Buffalo, NY 14202-3725
(716) 854-2020