



EOLEG-NS/09/11 P12085

JEREMY A. COLBY
COUNTY ATTORNEY

COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY

THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

DEPARTMENT OF LAW

MEMORANDUM

GA

TO: Robert Graber, Clerk, Erie County Legislature

FROM: Thomas F. Kirkpatrick, Jr., ^(P) Second Assistant County Attorney

DATE: November 1, 2011

RE: Transmittal of New Claims Against Erie County

Mr. Graber:

In accordance with the Resolution passed by the Erie County Legislature on June 25, 1987 (Int. 13-14), attached please find six (6) new claims brought against the County of Erie. The claims are as follows:

Claim Name

Patricia Curto vs Chris Collins, Cory Weber, Jeremy Colby, et al.
Great American Tool Co., Inc. Vs Erie County Dept. Of Public Works, Division of Highways
Valerie D. Thomas vs County of Erie and Erie County Sheriff's Department
Derrick Anderson vs County of Erie, RN Duane Smith, Timothy B. Howard and Chris Collins
Derrick Anderson vs County of Erie
Brandon O. Jenkins vs County of Erie

TFK/crj

Attachments

cc: Jeremy A. Colby, Erie County Attorney

23D-1



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

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THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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:	<i>Curto, Patricia vs Chris Collins, Cory Weber, Jeremy Colby, et al.</i>
Document Received:	Notice of Claim
Name of Claimant:	Patricia J. Curto 20 Hazel Court West Seneca, New York 14224
Claimant's attorney:	Pro Se

Should you have any questions, please call.

Very truly yours,

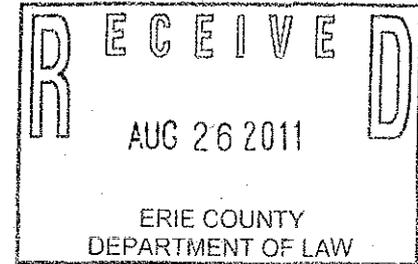
JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

TO: Chris Collins, Erie County Executive
95 Franklin St. 16th Floor
Buffalo, NY 14202
TO: Cory Weber Asst. Erie County Attorney ✓
95 Franklin St. 16th Floor
Buffalo, NY 14202
TO: Erie County Attorney Jeremy A. Colby
95 Franklin St. 16th Floor
Buffalo, NY 14202
TO: FedEx Corporate Office
Three Galleria Tower
13155 Noel Road, Suite 1600
Dallas, TX 75240



PLEASE TAKE NOTICE that I, Patricia J Curto, pursuant to the statute in such cases made and provided, do hereby claim and demand in the sum of fifteen thousand dollars, of and from: Erie County, Chris Collins, Jeremy A. Colby, Cory Weber, FedEx Corporation, FedEx employee John Doe and such others as may be liable; on behalf of myself for legal expenses, injuries and damages sustained by me individually by and through the negligence; and/or conspiracy; and/or the malicious, and/or willful, and/or intentional, and/or wrongful and continuous acts/practices/policies and/or continuous unlawful acts/practices/policies of Erie County, Chris Collins, Jeremy A. Colby, Cory Weber, FedEx Corporation, FedEx employee John Doe and such others as may be liable; with the knowledge of Erie County officers/officials, Chris Collins, Jeremy A. Colby, Cory Weber, FedEx, FedEx employee John Doe of facts constituting claim; and in support of such claims do state the following:

At all times relevant plaintiff Patricia Curto is a resident owner of the single family residence at 20 Hazel Court located in the Town of Orchard Park, County of Erie, State of New York and it is a private property posted with numerous "No Trespassing" signs.

On or about July 12, 2011 there was an intentional unauthorized intrusion trespasses upon Patricia Curto's private property located at 20 Hazel Court by John Doe. On or about July 12, 2011 numerous "No Trespassing" signs, on Curto's private property located at 20 Hazel Court, were clearly visible to John Doe.

Upon information and belief, at all times relevant Cory Weber was employed by Erie County as an attorney.

Upon information and belief, at all times relevant John Doe: was employed by FedEx Corporation acting on behalf of Erie County, Chris Collins, Jeremy A. Colby and Cory Weber; and in the course of his employment, was an agent and/or employee and/or servant and/or alter ego and/or acting on behalf of a request of Erie County and Cory Weber and such others as may be liable.

Erie County, Chris Collins had prior knowledge and notice that Patricia Curto objected to trespasses upon her property located at 20 Hazel Court.

Cory Weber and Jeremy A. Colby had or should have had prior knowledge and notice that Patricia Curto objected to trespasses upon her property located at 20 Hazel Court.

The continuing policy and/or practice of trespassing, intentional unauthorized entry/intrusion upon Patricia Curto's private posted property at 20 Hazel Ct. is illegal and/or criminal and violates her rights secured by State and federal laws and constitutions.

Patricia Curto's State and federal constitutional and legal rights and have been violated; Curto has suffered harm and injuries such as emotional distress, mental anguish and etc.; there has been a conspiracy to violated Curto's rights and etc.

Chris Collins and Jeremy A. Colby at all times relevant, controls the policies and practices of the County of Erie and/or the Erie County Attorney's Office. Chris Collins and Jeremy A Colby at all times relevant controls the hiring, retention, training and supervision of their employees, agents, alter egos and servants.

Chris Collins and Jeremy A. Colby at all times relevant, controls the policies and practices of Erie County Attorney's Office. Chris Collins and Jeremy A. Colby controls the hiring, retention, training and supervision of their employees, agents servants and alter egos.

Actions and/or practices and/or policies cited above also constitute: negligent hiring, retention, training and supervision of their employees, agents servants and alter egos by Erie County, Chris Collins and Jeremy A. Colby.

FedEx Corporation at all times relevant controls the hiring, retention, training and supervision of their employees, agents servants and alter egos.

FedEx Corporation at all times relevant was neglecting in the hiring, retention, training and supervision of John Doe.

The continuing illegal practices, policies and acts cited above; violated the rights secured to Patricia Curto by the federal and NY State Constitution, and State and federal law; violated Patricia Curto's privacy and peaceful enjoyment of her property and injury to the right of possession and etc..

The continuing conduct, practices, policies and conspiracies cited above, for the purpose and/or the natural consequence of which was to harass, discriminate, intimidate, coerce, retaliate, oppress, terrorize, defame, slander, libel, embarrass and abuse Patricia Curto.

The continuing acts, practices and/or policies cited above were done with malicious, intentional, willful, reckless, wanton and negligent disregard for Patricia Curto's rights and with the purpose of harassing, discriminating, intimidating, coercing, retaliating, oppressing, and abusing Patricia Curto. Patricia Curto was treated differently than younger and/or male and/or higher social economic individuals.

As a result of the continuing conduct, practices and/or policies cited above, Patricia Curto has sustained damages including but not limited to: physical, emotional and mental

pain and anguish; and she will continue to suffer same for an indefinite time in the future, all to her great detriment and loss.

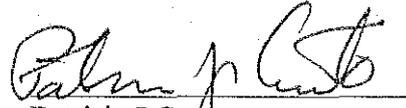
Patricia Curto has and continues to suffer emotional distress and mental anguish such as, including but not limited to: upset, fear, sleeplessness, anxiety, shock, anger, confusion, frustration, pain and more, as a result of the illegal actions, continuing practices and policies cited above.

That upon your failure to pay such claim for fifteen thousand dollars within the statutory period provided therefore, it is the intention of the claimant to commence an action against said Erie County, Chris Collins, Jeremy A. Colby, Cory Weber, FedEx Corporation, FedEx employee John Doe and such others as may be liable therefore to recover the legal expenses, injuries and damages sustained by this claimant.

WHEREFORE, this claimant respectfully requests that this, her claim, be adjusted and paid as provided by law.

Sworn to before me this 26 day
Of August 2011


Notary


Patricia J Curto
20 Hazel Ct.
W. Seneca, NY 14224

PATRICIA C. DePASQUALE
Notary Public, State of New York
Qualified in Erie County
My Commission Expires February 28, 20¹⁵



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY

THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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

Dear Mr. Graber:

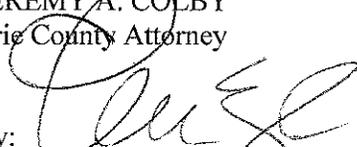
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Great American Tool Co., Inc. vs Erie County Department of Public Works, Division of Highways</i>
Document Received:	Notice of Claim
Name of Claimant:	Great American Tool Co., Inc. a/k/a Gatco 7223 Boston State Road Hamburg, New York 14075
Claimant's attorney:	Pro Se

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

In the Matter of the Claim of
GREAT AMERICAN TOOL CO., INC,

NOTICE OF CLAIM

Claimant,

vs.

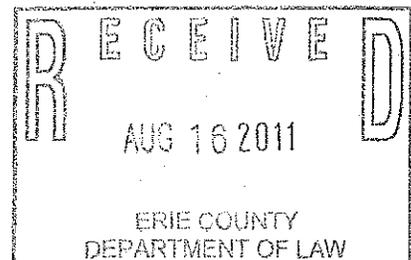
ERIE COUNTY DEPARTMENT OF PUBLIC
WORKS, DIVISION OF HIGHWAYS,

Respondent.

TO: Erie County Department of Public Works, Division of Highways
c/o Jeremy A. Colby, Esq.
Erie County Attorney
95 Franklin Street, Rm 1634
Buffalo, New York 14202

Claimant for its Notice of Claim pursuant to Public Authorities Law §1299-p(2) and
General Municipal Law §50-e, alleges:

1. Name and post office address of claimant: Great American Tool Co., Inc. a/k/a
Gatco ("Great American"), 7223 Boston State Road, Hamburg, New York 14075.
2. Nature of the claim: Great American will seek to recover damages sustained as a
result of the negligence of the Erie County Department of Public Works, Division of Highways.
3. The time when, the place where and the manner in which the claim arose: The
claim arose on May 15, 2011 at 7223 Boston State Road, Hamburg, New York 14075 when the
negligence of the Erie County Department of Public Works, Division of Highways in
maintaining the culvert next to Great American's facilities caused water to back up through
sewers and drains into Great American's facilities.

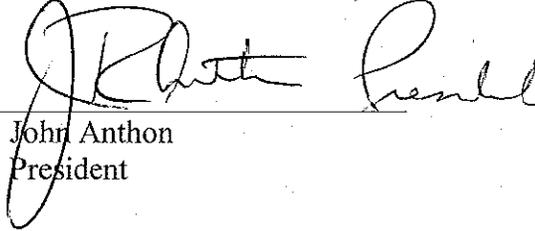


4. The items of damage or injuries claimed to have been sustained: As a result of the aforementioned negligence, Great American sustained significant property damage to its facilities, equipment, and inventory, along with damages relative to the cost of clean up.

Dated: August 15, 2011
Boston, New York

GREAT AMERICAN TOOL CO., INC.

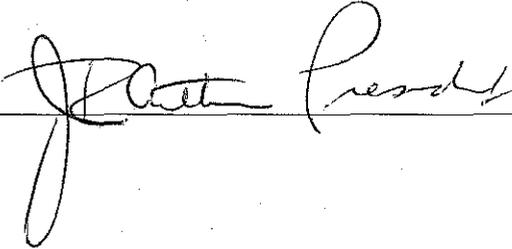
By:


John Anthon
President

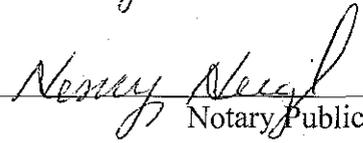
VERIFICATION

TOWN OF BOSTON)
) ss.:
COUNTY OF ERIE)

John Anthon, being duly sworn, deposes and says that he is President of claimant Great American Tool Co., Inc.; that he has read the within Notice of Claim, and knows the contents thereof; that the same is true to his knowledge, except as to the matters alleged upon information and belief, and as to those matters, he believes it to be true.



Sworn to before me this 15th
day of August 2011.



Notary Public

HENRY HEIGL
NOTARY PUBLIC STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES JUNE 30, 2014



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY

THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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:	<i>Thomas, Valerie C. vs County of Erie and Erie County Sheriff's Department</i>
Document Received:	Notice of Claim
Name of Claimant:	Valerie D. Thomas 25 Blackmore Avenue Tonawanda, New York 14150
Claimant's attorney:	John A. Sheehan, Esq. 451 Grider Street Buffalo, New York 14215

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
«Professional Internet E-mail»

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

VALERIE D. THOMAS
25 Blackmore Avenue
Tonawanda, NY 14150,

Claimant,

vs.

NOTICE OF CLAIM

ERIE COUNTY
95 Franklin Street
Buffalo, NY 14202,

ERIE COUNTY SHERIFF'S DEPARTMENT
One Sheriff's Drive
Orchard Park, NY 14127,

Respondents.

2011 AUG -9 PM 3:33
CLERK OF COURT
COUNTY OF ERIE

PLEASE TAKE NOTICE, that the above named claimant claims and demands from the respondents Erie County and/or Erie County Sherriff's Department recompense for personal injuries and damages sustained by claimant by reason of the 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 25 Blackmore Avenue, Tonawanda, NY 14150.
2. Claimant is represented by Cellino & Barnes, P.C. with offices located at 451 Grider Street, Buffalo, New York 14215, telephone (716) 854-2020.
3. The incident in which personal injuries were sustained by the claimant occurred on or about June 2, 2011, while she was a passenger in an Erie County Sheriff's Department van when that vehicle struck the back of another vehicle

on the I-190 extension of the New York State Thruway in Erie County in the State of New York.

4. By virtue of the negligence and carelessness of the employees, agents or servants of Erie County and/or Erie County Sherriff's Department, claimant has incurred medical and hospital 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 incur further medical expenses for examinations and treatment including, but not limited to drugs, medicines and prosthetic devices, the total expense of which cannot be reasonably calculated at this time.

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

DATED: Buffalo, New York
June 27, 2011

CELLINO & BARNES, P.C.

By: _____

John A. Sheehan, Esq.
Attorneys for Plaintiff
451 Grider Street
Buffalo, NY 14215
(716) 854-2020

TO: ERIE COUNTY
95 Franklin Street
Buffalo, NY 14202

ERIE COUNTY SHERIFF'S DEPARTMENT
One Sheriff's Drive
Orchard Park, NY 14127

VERIFICATION

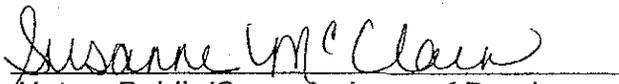
STATE OF NEW YORK)
COUNTY OF ERIE : SS.:
CITY OF BUFFALO)

Valerie D. Thomas, being duly sworn, deposes and says that she is the plaintiff in the within action; that she has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to the knowledge of the 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.


Valerie D. Thomas

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

On the 11 day of July, in the year 2011 before me, the undersigned, personally appeared Valerie D. Thomas, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Notary Public/Commissioner of Deeds

SUSANNE McCLAIN
Notary Public, State of New York
Qualified in Erie County
Lic. # 01MC6126970
My Commission Expires 5-10-13



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY
THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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

Dear Mr. Graber:

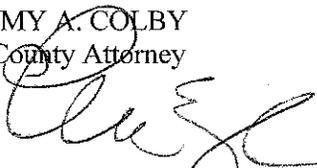
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Anderson, Derrick vs County of Erie, RN Duane Smith, Timothy B. Howard and Chris Collins</i>
Document Received:	Notice of Claim
Name of Claimant:	Derrick Anderson ICN 149 c/o Erie County Holding Center 40 Delaware Avenue Buffalo, New York 14202
Claimant's attorney:	Pro Se

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

-----X
DEWICK ANDERSON

Claimant,

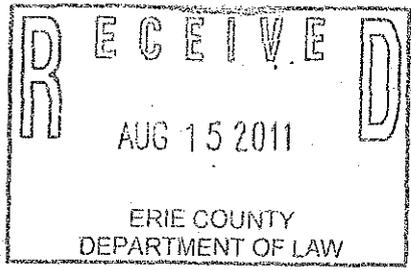
NOTICE OF CLAIM

-- vs -- *RN DUANE SMITH
TIMOTHY B. HOWARD*

THE COUNTY OF ERIE, *CHRIS COLLINS,*

Defendant.

-----X



TO: COUNTY OF ERIE
DEPARTMENT OF LAW
95 Franklin Street / Room 1634
BUFFALO, NEW YORK 14202

PLEASE TAKE NOTICE that *DEWICK ANDERSON*, hereby claims and demands, pursuant to §50-e of the General Municipal Law, damages against the COUNTY OF ERIE for damages sustained by Claimant by reason of the wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees; and in support thereof, the Claimant states:

- 1. The name and post office address of the claimant is:

*ERIE COUNTY HOLDING CENTER
40 DELAWARE AVE. BUFFALO, NY 14202*

- 2. This claim is for damages sustained by the Claimant while he was an inmate at the Erie County Holding Center, 40 Delaware Avenue, Buffalo, New York 14202-3999.

3. The wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees, occurred as follows:

Chris Collins, and Timothy B. Howard, are hiring "UNQUALIFIED NURSES" AT THE ERIE COUNTY HOLDING CENTER, WHILE PASSING OVER THOSE NURSES WITH YEARS OF EXPERIENCE, AND PROPER CERTIFICATION. THESE UNQUALIFIED NURSES ARE AFRAID TO BE FIRED BECAUSE THEY ARE AFRAID TO BE SUED FOR MALPRACTICE, DUE TO MAJOR MISTAKES, AND PUTTING PATIENTS AT RISK OF SERIOUS INJURY OR DEATH. THE HOLDING CENTERS UNLAWFULLY AND UNETHICALLY DESERVE MORE QUALIFIED NURSES, AND MORE OPENNESS ABOUT HIRING POLICIES. THE SYSTEM, NOR THE "UNQUALIFIED" NURSES HERE ARE NOT PERFORMING UP TO STANDARDS THE INMATES OR UNITS EXPECT. THE NURSES THAT COME FROM OUTSIDE AGENCIES TO WORK AT THE HOLDING CENTER ARE NOT QUALIFIED, AND THEIR CREDENTIALS ARE QUESTIONABLE. THESE "UNQUALIFIED NURSES ARE RECEIVING

4. Take further notice that claimant demands payment of his claim, and unless the claim is paid within a reasonable amount of time, and unless the claim is paid within a reasonable amount of time, it is the intention of the claimant to commence a lawsuit against the COUNTY OF ERIE to recover sums claimed as to the damages and injuries sustained by them.


CLAIMANT

CONTINUED FROM PAGE 27

ON THE JOB TRAINING, AND MAKING THE AMOUNT OF MONEY THAT REQUIRE

QUALIFIED NURSES SHOULD MAKE. ON 4/15/11, AT APPROXIMATELY 2:15 PM, A NEW, "UNQUALIFIED," LACKING CREDENTIALS, RN NAMED "DURANE," (I LATER FIND OUT HIS NAME), FAILED TO SIGN THE CHARTS LONG LOG-BOOK BEFORE ATTEMPTING TO TRY TO PASS OUT MEDICATIONS. WHEN HE

ARRIVED AT 2:15 PM, HE DIDN'T HAVE ALL OF MY MORNING 8:00 AM MEDICATIONS, NOR NONE OF MY AFTERNOON MEDICATIONS. HE DIDN'T HAVE

THE CHART WITH HIM, NOR DID HE HAVE MY MEDICAL CHARTS WITH HIM, WHICH HE SHOULD HAVE, SO HE COULD HAVE MARKED THE CHART AS HE PASSED OUT MY MEDICATIONS SO HE WOULDN'T HAVE MADE A MISTAKE, WHICH HE DID. BY CLAUDING ME TO TAKE SOME OF MY MEDICATIONS TWICE. IT TOOK THIS NURSE FROM 8:00 AM TO 2:15 PM TO LOCATE ME TO PASS

OUT MY MEDICATIONS HE DIDN'T EVEN HAVE WHEN HE FINALLY FOUND ME AT 2:15 PM. IN THE MEANTIME, I'M SUFFERING HIGH BLOOD SUGARS, LOWER BACK PAIN ASSOCIATED WITH HERNIATED DISCS, CHEST PAINS, SHORTNESSES OF BREATH, DIZZINESS, HEADACHES, MAJOR DEPRESSION, AND ANXIETY. ALSO PARANOID.

MY HEALTH AND DIABETIC CONDITION HAS DETERIORATED SINCE MY LAST VISIT ON 11/11/10.

✓

Continued from Page 2

My Hemoglobin A1C was 8 before my arrest.

It is currently 11.5, and getting worst

due to "unqualified nurses" and

unlawful, negligent, reckless, and

careless acts. "RN DUNE" deceived me my

medications, lied, and said he was coming

back with my medications, then said he was

going home, which denied me the standard of

care I deserve, and should expect due

to my chronic illnesses. When I asked for

his name, he negligently, wrongfully,

unlawfully, took his

identification, which was around his neck

on a string, shoved it inside his shirt so

I wouldn't see it, and refused to identify

himself to me, witnessed by deputy

"EUNDES" head nurse "FERZ", advised me

that I have a medical, and legal right to

know the name of any nurse or doctor

who is certified to administer medications

to me. RN DUNE'S suspicious actions

would lead a juror and one to believe

that he was not qualified or certified to

pass out any type of medications. He

acted as though he had something to hide.

After all this, he went back to the pharmacy

before he went home, and edited, and

fabricated my medical charts, to make them

N

Continued from page 2

look like he actually gave me my medications.

"Nurse Crystal" had to come give me the rest of my medications, some medications

"twice", because she wasn't sure what

medications RN Duane gave me, nor was

nurse Duane sure what medications he

gave me because when nurse Crystal

asked him what he gave me, he wouldn't

give her a correct answer. She had to ask

me, and I would even sure. RN Duane

did not meet his moral, medical or legal

responsibilities in this matter. He did not

stop and take responsibility, and go get

medical charts to make sure he was

padding out the right medications, even

though he was seven (7) hours late

bringing them in the first place. He

counted to attempt to pass out

medications that he couldn't identify,

like a qualified, experienced nurse, with

years of experience, and credentials, would

do. He continued to pass out meds on a

"wing" with no qualifications or experience.

RN Duane caused me the enclosed

physical injuries by all the wrongfull,

unlawful, negligent, reckless and careless

acts pointed out in this claim. If this was

RN Duane's first day on the job, he should N

Not have been sent out in the general

population to pass out medications by

himself, not knowing the layout of the

Dis, and not knowing which medications he

was passing out without any medical charts in

his possession. This caused a dangerous

situation, and created a unsafe, and

hazardous conditions. Bill Duane's actions

were not justified, and showed bad judgment,

unqualification, and experience. He failed

to use any degree of learning or skills.

Chris Collins and Timothy B. Howard are

operating the holding center in an improper,

negligent, reckless, and careless manner by

hiring inexperienced, unqualified nurses,

with no credentials, Bill Duane's hiding his

identification card impugns his integrity,

and truthfulness. Bill Duane displayed a

disregard to my chronic illnesses. Sheriff

Howard must not defend and indemnify

any of its employees for violating my civil

rights. Bill Duane vows to show a

pattern of wrongful, unlawful, negligent,

reckless and careless acts. This is just

the latest "black eye" for the Defendants.

How many strikes will Bill Duane get

before he's out? I request \$1 million for

actual damages, and \$5 million for punitive

Continued from page 24

DANGER, I also request that RIV DUANE BE
Suspended or Fined. Also that he be sent back to
Nursing school for the proper training,
qualification, and credentials so he doesn't harm
ME or CAUSE ME A SERIOUS injury or death. Also to
BE NOTIFIED of any discipline he receives
from CHRO COLLINS AND TIMOTHY B. HOWARD
RIV DUANE WAS FIRED due to the ENCLOSED
RECKLESS, NEGLIGENCE
JAMES ANDERSON
4/21/11
C-LG-001

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.;
CITY OF BUFFALO)

Donald Anderson, being duly sworn, deposes and says that he is the claimant in the within proceeding and has read the foregoing Notice of Claim and knows the contents of same to be true to his own knowledge, save those matters therein alleged upon information and belief, and as to those matters, the same he believes to be true.

Donald Anderson

Sworn to before me this 22
day of April 2011

Sylvia M. O'Neal
Notary Public

SYLVIA M. O'NEAL
COMMISSIONER OF DEEDS
In and For the City of Buffalo, Erie County, NY
My Commission Expires Dec. 31, 2012



Grievance Form - Part II

Facility: Erie County Holding Center

Grievance #: 11-G042

Name of Inmate: Derrick Anderson 149 C-1

Date Part I was received: 4/19/2011

Decision of the Grievance Coordinator:

Number of Additional Sheets Attached (No)

(Including specific facts and reasons underlying the decision)

Grievance sustained action requested granted. Medical Administration is aware of your concerns with the timely delivery of your prescribed medication and have assured me that they are working diligently to correct this.

Signature of Grievance Coordinator

John Rodriguez
Chief John Rodriguez

Date: 4-19-11

I have read the above decision of the Grievance Coordinator

I agree to accept the decision

I wish to appeal to the Chief Administrative Officer

Date: 4/19/11

Grievant Signature:

[Handwritten Signature]

Date: 4/19/11

Decision of the Chief Administrative Officer

Number of Additional Sheets Attached ()

(including specific facts and reasons underlying the decision)

Signature of the Chief Administrative Officer:

Date:

PURSUANT TO SECTION 7032.5(A), ANY GRIEVANT MAY APPEAL ANY GRIEVANCE DENIED BY THE FACILITY ADMINISTRATOR, IN WHOLE OR IN PART, TO THE STATE COMMISSION OF CORRECTION.

I have read the above decision of the Chief Administrative Officer

I agree to accept the decision

I wish to appeal to the Citizen's Policy and Complaint Review Council

Grievant Signature:

Date:

Submission to the Citizen's Policy and Complaint Review Council

I HAVE ISSUED THE GRIEVANT A RECEIPT INDICATING THE DATE THE APPEAL HAS BEEN SUBMITTED TO THE CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL. I HAVE ENCLOSED WITH THIS GRIEVANCE, THE INVESTIGATION REPORT AND ALL OTHER PERTINENT DOCUMENTS.

Signature of the Grievance Coordinator:

Date:



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY

THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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

Dear Mr. Graber:

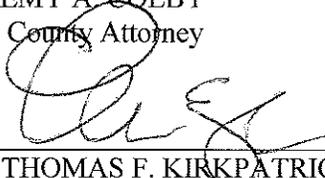
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Anderson, Derrick vs County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Derrick Anderson ICN 149 c/o Erie County Holding Center 40 Delaware Avenue Buffalo, New York 14202
Claimant's attorney:	Pro Se

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

=====X

Claimant,

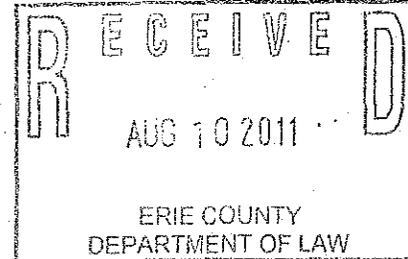
NOTICE OF CLAIM

- vs -

THE COUNTY OF ERIE,

Defendant.

=====X



TO: COUNTY OF ERIE
DEPARTMENT OF LAW
95 Franklin Street / Room 1634
BUFFALO, NEW YORK 14202

PLEASE TAKE NOTICE that Devick Anderson, hereby claims and demands, pursuant to §50-e of the General Municipal Law, damages against the COUNTY OF ERIE for damages sustained by Claimant by reason of the wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees; and in support thereof, the Claimant states:

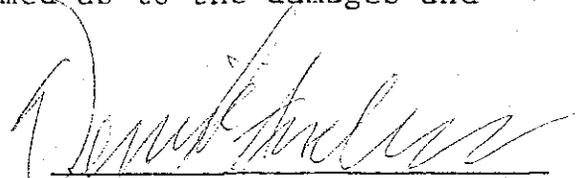
1. The name and post office address of the claimant is:
2. This claim is for damages sustained by the Claimant while he was an inmate at the Erie County Holding Center, 40 Delaware Avenue, Buffalo, New York 14202-3999.

3. The wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees, occurred as follows: ON 7-26-11, I REQUESTED A GRIEVANCE

FROM DEPUTY KENT. HE REFUSED MY REQUEST, STATING "I'M NOT GIVING YOU A GRIEVANCE TO GRIEVE ANOTHER DEPUTY." WHEN SERGEANT M. ANDERSON ARRIVED TO SIGN THE "CHARLIE-SHORT" LOGBOOK, I ASKED HIM FOR A GRIEVANCE CONCERNING THE MATTER IN WHICH "DEPUTY LALLEY" SLAMMED THE "CHARLIE-LONG GATE INTO MY ARM, ON PURPOSE WHEN I WAS BEING ESCORTED TO THE INFIRMARY TO GET MY MORNING "DIABETIC, BLOOD PRESSURE, AND HEART + STROKE MEDICATIONS." SERGEANT M. ANDERSON WAS VERBALLY ABUSIVE TO ME AS TO WHY HE DIDN'T WANT TO GIVE ME A GRIEVANCE FOR THE MATTER OF "DEPUTY LALLEY" SLAMMING THE GATE INTO MY LEFT ARM. SERGEANT M. ANDERSON "STATED, THAT IS NOT A GRIEVABLE ISSUE. ACCORDING TO DEPUTY KENT, SERGEANT M. ANDERSON, AND DET. BOHIGUEZ, THE ASSAULT BY "DEPUTY LALLEY" ON ME BY SLAMMING THE GATE INTO MY ARM IS NOT A GRIEVABLE ISSUE. AFTER SERGEANT M. ANDERSON VERBALLY ABUSED ME FOR 15-20 MINUTES, ABOUT WHY HE DIDN'T WANT TO GIVE ME A GRIEVANCE, HE BROKE DOWN, AND TOLD "DEPUTY KENT" TO SIGN A GRIEVANCE, LOG IT IN THE "CHARLIE SHORT LOGBOOK, AND GIVE IT TO ME TO FILL OUT, AND GIVE IT TO SERGEANT M. ANDERSON WHEN HE COMES BACK LATER IN THE EVENING TO SIGN THE ~~THE~~ LOGBOOKS. WHEN

4. Take further notice that claimant demands payment of his

claim, and unless the claim is paid within a reasonable amount of time, and unless the claim is paid within a reasonable amount of time, it is the intention of the claimant to commence a lawsuit against the COUNTY OF ERIE to recover sums claimed as to the damages and injuries sustained by them.


CLAIMANT

Continued from Page 2#

Sergeant M. Anderson came back at approximately 9:00 PM, I handed him my grievance. Sergeant M.

Anderson attempted to "blackmail" and extort me by

showing me a "misbehavior report" he wrote against me,

alleging that "threatened Deputy Lilled. Sergeant M.

Anderson stated to me, "either you tear up your

grievance against deputy Lilled, or you have to do

paperwork, and an investigation into your grievance, or

in filing this misbehavior report against you." I

stated, "I don't threaten anybody so go ahead,

and file your fabricated misbehavior report." I want

my grievance filed, and want an investigation

conducted into this matter. Sergeant M. Anderson

stated, "your an asshole," and walked away. Sergeant

M. Anderson did not file my grievance, nor did he

conduct an investigation into my allegations

against deputy Lilled claiming the gate into my

arm. Sergeant M. Anderson destroyed my grievance

after he called me an asshole, and walked away.

On August 3rd, 2011, at approximately 9:00 PM,

Sergeant M. Anderson came to see me, and

stated to me that "he talked to Chief Rodriguez,

and stated to me that Chief Rodriguez told him

to tell me that my issue of being slammed in

the arm with the gate is not a grievable issue,

and he has no authority to resolve this matter.

I don't believe this, nor do the proper police

and procedure sergeant M. Anderson was

Suppose to take to resolve the matter. When
Sergeant M. Anderson came to see me on August
3rd, approximately 9:00 PM, he was suppose to have
my grievance with him, and it should have
stated the measures he took to resolve the
matter, and it should state whether or not I
agreed or disagreed with his decision. Then he
was suppose to send my grievance to Chief
Rodriguez so he would attempt to resolve the
matter, and render his decision. None of these
things happened because Sergeant M. Anderson
"destroyed my grievance, he also destroyed the
fabricated mad behavior report he tried to "Blackmail"
and extort me with.

The defendants subjected me to "grievous harm"
caused by "egregious or flagrant conditions"
which deprived me of my rights to file a
grievance, privileges, or immunities secured and
protected by the Constitution or laws of the
United States" and the deprivation is
pursuant to "A pattern or practice or resistance
to the full enjoyment of such rights to file a
grievance, privileges or immunities" 42 U.S.C. § 1991a
(a); Messier v. Southland [362] Training Sch.,
916 F. Supp. 133, 137 (D. Conn 1996).

to remedy the enclosed unlawful deprivations of

DeMunn

Defendants were deliberately indifferent to my health, and staff at the Erie County holding center in violation of the rights and Fourteenth Amendments, by repeatedly disregarding known or serious risks of harm. Defendants have repeatedly failed to prevent staff from inflicting serious physical abuse on inmates such as myself, and that those failures continue to exist, even in the face of multiple incidents in which inmates have been assaulted by "Deputy Lally".

I seek equitable relief as may be appropriate to insure the minimum protective measures necessary to insure the full enjoyment of such rights, privileges or immunities, as a prison institutionalized in a jail, prison, or other conventional facility such as have, equitable relief to available to remedy only those conditions that deprived me of my rights, privileges, or immunities secured or protected by the federal Constitution. 42 U.S.C. § 1997 (1) (A) and (B) (1), 42 U.S.C. § 1997 A (A). For actual damages I request \$1 million, and \$5 million punitive.

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.;
CITY OF BUFFALO)

David Anderson, being duly sworn, deposes and says that he is the claimant in the within proceeding and has read the foregoing Notice of Claim and knows the contents of same to be true to his own knowledge, save those matters therein alleged upon information and belief, and as to those matters, the same he believes to be true.

[Signature]

Sworn to before me this 4th
day of August 2011
[Signature]
Notary Public

SYLVIA M. O'NEAL
COMMISSIONER OF DEEDS
In and For the City of Buffalo, Erie County, NY
My Commission Expires Dec. 31, 2012



COUNTY OF ERIE

JEREMY A. COLBY
ERIE COUNTY ATTORNEY

CHRIS COLLINS
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MARTIN A. POLOWY
FIRST ASSISTANT COUNTY ATTORNEY
THOMAS F. KIRKPATRICK, JR.
SECOND ASSISTANT COUNTY ATTORNEY

November 1, 2011

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

Dear Mr. Graber:

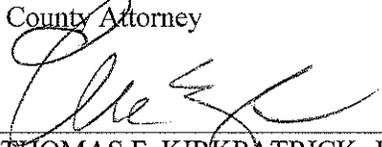
In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	<i>Jenkins, Brandon O. vs County of Erie</i>
Document Received:	Notice of Claim
Name of Claimant:	Brandon O. Jenkins 241 Roslyn Street Buffalo, New York 14215
Claimant's attorney:	Pro Se

Should you have any questions, please call.

Very truly yours,

JEREMY A. COLBY
Erie County Attorney

By: 
THOMAS F. KIRKPATRICK, JR.
Second Assistant County Attorney
thomas.kirkpatrick@erie.gov

TFK/mow
Enc.

cc: JEREMY A. COLBY, Erie County Attorney

3. The wrongful, unlawful, negligent and careless acts and omissions of the COUNTY OF ERIE, its agents, servants or employees, occurred as follows:

On 10/22/09 in Amherst Town Court I was convicted of violation 0511-02A4um2 Agg unlic operation which it was drop to a misdemeanor and on 5/13/10 sentenced to 3 years probation with a \$1,000 fine. During the duration of probation I had to complete dwi courses at a drug treatment center horizon when alcohol wasn't the issue with my case which I told my po on it still wasn't handled. I was hired with starting dates at 5 jobs which I wasn't able to work neither job because felony charges of driving unlic showed up in my background checks (which I even paid for a certificate from Amherst court stating what my charges was as it still didn't help) I called Amherst court they took it up an apologized saying it should be cleared up within 22 hours but still didn't happen. In the process of getting hired at another job I had to go thru a service called ADP it took month an still didn't clear. Not being able to take care of myself or my family stress me out to the point that I had a nervous break down an was admitted to buffalo general hospital Feb 2011, Lost my fiance an was in jail for a robbery charge an being charged as a second felony. Paid work to prove all info

4. Take further notice that claimant demands payment of his claim, and unless the claim is paid within a reasonable amount of time, and unless the claim is paid within a reasonable amount of time, it is the intention of the claimant to commence a lawsuit against the COUNTY OF ERIE to recover sums claimed as to the damages and injuries sustained by them.

Brandon O. [Signature]
CLAIMANT

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) ss.;
CITY OF BUFFALO)

Brandon O Jenkins, being duly sworn, deposes and says that he is the claimant in the within proceeding and has read the foregoing Notice of Claim and knows the contents of same to be true to his own knowledge, save those matters therein alleged upon information and belief, and as to those matters, the same he believes to be true.

Brandon O Jenkins

Sworn to before me this 8
day of August 2011,

Sylvia M O'Neal
Notary Public

SYLVIA M. O'NEAL
COMMISSIONER OF DEEDS
In and For the City of Buffalo, Erie County, NY
My Commission Expires Dec. 31, 2012