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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

May 13, 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:	*Watson, Tracey Yvonne v. Chakara M. Sanford, Peggy Sanford and County of Erie (DSS Lien)*
Document Received:	Summons and Complaint
Name of Claimant:	Tracey Yvonne Watson 920 Amherst Street Buffalo, New York 14216
Claimant's attorney:	J. Michael Hayes, Esq. 69 Delaware Avenue Suite 1111 Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle M. Parker (dld)
Michelle M. Parker
First Assistant County Attorney

MMP:dld
Enclosure

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

TRACEY YVONNE WATSON
920 Amherst Street
Buffalo, New York 14216,

Plaintiff,

vs.

CHAKARA M. SANFORD
311 Northampton Street
Buffalo, New York 14208,

PEGGY SANFORD
289 Reed Street
Buffalo, New York 14211, and

COUNTY OF ERIE
Rath Building
95 Franklin Street
Buffalo, New York 14202,

Defendants.

SUMMONS

Index No.:

FILED
05/02/2013/ 13:50:11
ERIE COUNTY CLERK
RCPT # 13071212
I 2013001356

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED, to answer the complaint in this action, and to serve a copy of your answer, or, if the summons is not served with a complaint, to serve a notice of appearance, on the Plaintiff's attorney within twenty (20) days after service of this summons, exclusive of the day of service, or within thirty (30) days after completion of service where service is made in any other manner than by personal delivery within the State. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Erie County is designated as the place of trial on the basis of the residence of the Plaintiff who resides in Erie County, New York.

DATED: Buffalo, New York
May 2, 2013

This paper received at the
Erie County Attorney's Office
from JAMES HOELSCHER on
the 1 day of May, 2013
at 12:15 a.m./p.m.
Kelly Plankenhorn
Assistant County Attorney

Yours Respectfully,

By: _____

J. Michael Hayes, Esq.
Law Office of J. MICHAEL HAYES
Attorney for Plaintiff
69 Delaware Avenue - Suite 1111
Buffalo, New York 14202
Telephone: (716) 852-1111

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

FILED
ACTIONS & PROCEEDINGS
MAY 02 2013
ERIE COUNTY
CLERK'S OFFICE

TRACEY YVONNE WATSON,

Plaintiff,

vs.

CHAKARA M. SANFORD,
PEGGY SANFORD, and
COUNTY OF ERIE

Defendants.

COMPLAINT

Index No:
Filed in the Erie
County Clerk's
Office On:

Plaintiff above named, by her attorneys, J. MICHAEL HAYES, for her Complaint against the Defendants herein alleges:

1. Presently and at all times hereinafter mentioned, Plaintiff, TRACEY YVONNE WATSON, was a resident of the City of Buffalo, County of Erie and State of New York.

2. Upon information and belief, presently and at all times hereinafter mentioned, Defendant, CHAKARA M. SANFORD, was a resident of the City of Buffalo, County of Erie and State of New York.

3. Upon information and belief, presently and at all times hereinafter mentioned, Defendant, PEGGY SANFORD, was a resident of the City of Buffalo, County of Erie and State of New York.

4. Upon information and belief, Defendant, COUNTY OF ERIE, is a municipal corporation existing by virtue of the Laws of the State of New York with offices for the transaction of business located in the COUNTY OF ERIE, State of New York.

5. Upon information and belief, on or about August 6, 2012, the Defendant, CHAKARA M. SANFORD, was the operator of a 2008 Ford motor vehicle bearing New York license plate number 1SASSY.

6. Upon information and belief, on or about August 6, 2012, the Defendant, PEGGY SANFORD, was the owner of the aforesaid 2008 Ford motor vehicle.

7. Upon information and belief, at all times hereinafter mentioned, Defendant, CHAKARA M. SANFORD, was operating the aforesaid Ford automobile with the knowledge, permission and consent of Defendant, PEGGY SANFORD.

8. Upon information and belief, on or about August 6, 2012, at approximately 2:28 p.m. the motor vehicle owned by Defendant, PEGGY SANFORD, and operated by Defendant, CHAKARA M. SANFORD, came into contact with a motor vehicle operated by the Plaintiff, TRACEY YVONNE WATSON, on Jefferson Avenue at or near its intersection with Dodge Street in the City of Buffalo, County of Erie and State of New York.

9. Upon information and belief, the aforementioned accident was caused and contributed to due to the negligence and carelessness of the Defendants, CHAKARA M. SANFORD and PEGGY SANFORD.

10. Upon information and belief, Plaintiff, TRACEY YVONNE WATSON, is and/or has received MEDICAID provided by the Defendant, COUNTY OF ERIE.

11. Upon information and belief, the COUNTY OF ERIE, claims a recovery right and/or lien out of any resolution in the above matter by virtue of medical expenses it claims to have incurred.

12. Upon information and belief, the Defendant, COUNTY OF ERIE, is a necessary party to this action in that, for and before complete relief may be accorded, the Defendant, COUNTY OF ERIE's, claims for medical reimbursement must be considered, finalized, allocated and determined by way of compromise, settlement and/or Court determination and said Defendant has refused to join as a party plaintiff.

13. Upon information and belief, this action falls within one of more of the exceptions enumerated in Article 16 of the CPLR and/ or said article is inapplicable to the within action.

14. As a result of the foregoing, the Plaintiff, TRACEY YVONNE WATSON, sustained severe and serious personal injuries including a "serious injury" and economic loss in excess of "basic economic loss" as defined by Article 51 of the New York Insurance Reparations Law all to her damage in a sum in excess of the jurisdictional limits of the lower courts in this State.

WHEREFORE, Plaintiff, TRACEY YVONNE WATSON, demands judgment against the Defendants, CHAKARA M. SANFORD and PEGGY SANFORD, for a sum in excess of the jurisdictional limits of the lower courts of the State of New York and that Defendant COUNTY OF ERIE's claims for reimbursement be resolved, together with costs and disbursements in this action and for such other and further relief as to this Court deems just, proper and equitable.

Dated: BUFFALO, NEW YORK
May 2, 2013

Yours Respectfully,

J. Michael Hayes, Esq.
Law Office of J. MICHAEL HAYES
Attorney for Plaintiff
69 Delaware Avenue - Suite 1111
Buffalo, New York 14202
Telephone: (716) 852-1111