15

COUNTY OF ERIE

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

July 29, 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:	*Hoskins, Beth Lynne v. The Erie County Society for the Prevention of Cruelty to Animals ("Erie County SPCA"), Matthew A. Albert, Individually and as an Assistant District Attorney of Erie County, et al.*
Document Received:	Summons with Notice
Name of Claimant:	Beth Lynne Hoskins
Claimant's attorney:	John P. Bartolomei 335 Buffalo Avenue Niagara Falls, New York 14303

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
COUNTY OF ERIE

BETH LYNNE HOSKINS

Plaintiff,

vs.

SUMMONS WITH NOTICE
Index No.

THE ERIE COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ("ERIE COUNTY SPCA")

BARBARA S. CARR, Individually and as Executive Director of the Erie County SPCA

LINDSEY M. STYBORSKI, Individually and as Coordinator for the Cruelty Investigation Department of the Erie County SPCA

AMY JAWORSKI, Individually and as Animal Rescue Supervisor of the Erie County SPCA

ALEX COOKE, Individually and as a NYS Peace Officer with the Erie County SPCA Animal Cruelty Investigations Department

AMY HEWSON, Individually and as Barn Manager of the Erie County SPCA

MICHAEL ARMATYS, Individually and as Senior Investigator of the Erie County SPCA

GINA BROWNING, Individually and as Director of Public Relations of the Erie County SPCA

LAWRENCE F. ROBB, Individually and as President of the Erie County SPCA Board of Directors

MATTHEW A. ALBERT, Individually and as Assistant District Attorney of Erie County

DR. JEAN FELDMAN

DR. KATE FITZGERALD

Law Offices of John P. Bartolomei & Associates
335 Buffalo Avenue
Niagara Falls, New York 14303
(716) 282.2774

DR. CHARLOTTE KING TUTU

MARK COOKE

PEGGY COOKE

F/N/U SAYADOFF

CHRISTOPHER KANE

JEFF STACEY

BARBARA BOOTH

JOHN DOE, name and address unknown

JANE DOE, name and address unknown

DOE CORP., name and address unknown

DOE, LLC, name and address unknown

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE SUMMONED to appear in this action by serving a Notice of Appearance or Demand for Complaint on the Plaintiff within the time limits stated below.

VENUE: Erie County is designated as the county where this action will be tried because the Plaintiff resides in that county.

TIME LIMITS TO APPEAR: If this summons is served by delivery to you personally within New York State, you must appear within TWENTY (20) days after such deliver. If this summons is not served by delivery to you personally within New York State, you must appear within THIRTY (30) days after service is complete.

NATURE OF ACTION:

1. Fraud
2. Defamation
3. Product Disparagement

4. Unfair Competition
5. Tortious Interference with Prospective Economic Relations
6. Tortious Interference with Prospective Business Advantage
7. Violation of Statute
8. Abuse of Process
9. Intentional Infliction of Emotional Distress
10. Negligent Infliction of Emotional Distress
11. Abuse of Civil Process
12. Conversion
13. Trespass
14. Forcible Trespass
15. Civil Assault
16. Interference with Right of Privacy
17. Malicious Prosecution
18. Prima Facie Tort
19. Conspiracy to Commit Fraud
20. Conspiracy to Commit Defamation
21. Conspiracy to Commit Product Disparagement
22. Conspiracy to Commit Unfair Competition
23. Conspiracy to Commit Tortious Interference with Prospective Economic Relations
24. Conspiracy to Commit Tortious Interference with Prospective Business Advantage
25. Conspiracy to Commit Violation of Statute
26. Conspiracy to Commit Abuse of Process
27. Conspiracy to Commit Intentional Infliction of Emotional Distress
28. Conspiracy to Commit Negligent Infliction of Emotional Distress
29. Conspiracy to Commit Abuse of Civil Process
30. Conspiracy to Commit Conversion
31. Conspiracy to Commit Trespass
32. Conspiracy to Commit Forcible Trespass
33. Conspiracy to Commit Civil Assault
34. Conspiracy to Commit Interference with Right of Privacy
35. Conspiracy to Commit Malicious Prosecution
36. Conspiracy to Commit Prima Facie Tort
37. Aiding and Abetting Fraud
38. Aiding and Abetting Defamation
39. Aiding and Abetting Product Disparagement
40. Aiding and Abetting Unfair Competition
41. Aiding and Abetting Tortious Interference with Prospective Economic Relations
42. Aiding and Abetting Tortious Interference with Prospective Business Advantage
43. Aiding and Abetting Violation of Statute
44. Aiding and Abetting Abuse of Process
45. Aiding and Abetting Intentional Infliction of Emotional Distress
46. Aiding and Abetting Negligent Infliction of Emotional Distress
47. Aiding and Abetting Abuse of Civil Process
48. Aiding and Abetting Conversion
49. Aiding and Abetting Trespass
50. Aiding and Abetting Forcible Trespass
51. Aiding and Abetting Civil Assault

52. Aiding and Abetting Interference with Right of Privacy
53. Aiding and Abetting Malicious Prosecution
54. Aiding and Abetting Prima Facie Tort
55. Fraud: Punitive Damages
56. Defamation: Punitive Damages
57. Product Disparagement: Punitive Damages
58. Unfair Competition: Punitive Damages
59. Tortious Interference with Prospective Economic Relations: Punitive Damages
60. Tortious Interference with Prospective Business Advantage: Punitive Damages
61. Violation of Statute: Punitive Damages
62. Abuse of Process: Punitive Damages
63. Intentional Infliction of Emotional Distress: Punitive Damages
64. Negligent Infliction of Emotional Distress: Punitive Damages
65. Abuse of Civil Process: Punitive Damages
66. Conversion: Punitive Damages
67. Trespass: Punitive Damages
68. Forcible Trespass: Punitive Damages
69. Civil Assault: Punitive Damages
70. Interference with Right of Privacy: Punitive Damages
71. Malicious Prosecution: Punitive Damages
72. Prima Facie Tort: Punitive Damages
73. Fraud: Injunctive Relief
74. Defamation: Injunctive Relief
75. Product Disparagement: Injunctive Relief
76. Unfair Competition: Injunctive Relief
77. Tortious Interference with Prospective Economic Relations: Injunctive Relief
78. Tortious Interference with Prospective Business Advantage: Injunctive Relief
79. Violation of Statute: Injunctive Relief
80. Abuse of Process: Injunctive Relief
81. Intentional Infliction of Emotional Distress: Injunctive Relief
82. Negligent Infliction of Emotional Distress: Injunctive Relief
83. Abuse of Civil Process: Injunctive Relief
84. Conversion: Injunctive Relief
85. Trespass: Injunctive Relief
86. Forcible Trespass: Injunctive Relief
87. Civil Assault: Injunctive Relief
88. Interference with Right of Privacy: Injunctive Relief
89. Malicious Prosecution: Injunctive Relief
90. Prima Facie Tort: Injunctive Relief

RELIEF SOUGHT: The Plaintiff requests the following award and judgment against each and all of the Defendants, individually and jointly and separately:

1. On the first cause of action for Fraud, the sum of Ten Million Dollars
2. On the second cause of action for Defamation, the sum of Twenty Million Dollars
3. On the third cause of action for Product Disparagement, the sum of Five Million Dollars
4. On the fourth cause of action for Unfair Competition, the sum of Five Million Dollars

5. On the fifth cause of action for Tortious Interference with Prospective Economic Relations, the sum of Twenty Million Dollars
6. On the sixth cause of action for Tortious Interference with Prospective Business Advantage, the sum of Twenty Million Dollars
7. On the seventh cause of action for Violation of Statute, the sum of Twenty Million Dollars
8. On the eighth cause of action for Abuse of Process, the sum of Twenty Million Dollars
9. On the ninth cause of action for Intentional Infliction of Emotional Distress, the sum of Fifty Million Dollars
10. On the tenth cause of action for Negligent Infliction of Emotional Distress , the sum of Fifty Million Dollars
11. On the eleventh cause of action for Abuse of Civil Process, the sum of Fifty Million Dollars
12. For the twelfth cause of action for Conversion, the sum of Twenty Million Dollars
13. For the thirteenth cause of action for Trespass, the sum of Five Million Dollars
14. For the fourteenth cause of action for Forcible Trespass, the sum of Fifteen Million Dollars
15. For the fifteenth cause of action for Civil Assault, the sum of Fifteen Million Dollars
16. For the sixteenth cause of action for Interference with Right of Privacy, the sum of Twenty Million Dollars
17. For the seventeenth cause of action for Malicious Prosecution, the sum of Fifty Million Dollars
18. For the eighteenth cause of action for Prima Facie Tort, the sum of Fifty Million Dollars
19. For the nineteenth cause of action for Conspiracy to Commit Fraud, the sum of Ten Million Dollars
20. For the twentieth cause of action for Conspiracy to Commit Defamation, the sum of Twenty Million Dollars
21. For the twenty-first cause of action for Conspiracy to Commit Product Disparagement, the sum of Five Million Dollars
22. For the twenty-second cause of action for Conspiracy to Commit Unfair Competition, the sum of Five Million Dollars
23. For the twenty-third cause of action for Conspiracy to Commit Tortious Interference with Prospective Economic Relations, the sum of Twenty Million Dollars
24. For the twenty-fourth cause of action for Conspiracy to Commit Tortious Interference with Prospective Business Advantage, the sum of Twenty Million Dollars
25. For the twenty-fifth cause of action for Conspiracy to Commit Violation of Statute, the sum of Twenty Million Dollars
26. For the twenty-sixth cause of action for Conspiracy to Commit Abuse of Civil Process, the sum of Twenty Million Dollars
27. For the twenty-seventh cause of action for Conspiracy to Commit Intentional Infliction of Emotional Distress, the sum of Fifty Million Dollars
28. For the twenty-eighth cause of action for Conspiracy to Commit Negligent Infliction of Emotional Distress, the sum of Fifty Million Dollars
29. For the twenty-ninth cause of action for Conspiracy to Commit Abuse of Civil Process, the sum of Twenty Million Dollars
30. For the thirtieth cause of action for Conspiracy to Commit Conversion, the sum of Twenty Million Dollars

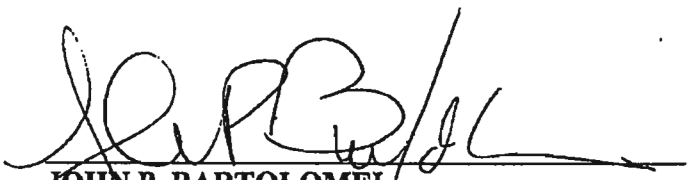
31. For the thirty-first cause of action for Conspiracy to Commit Trespass, the sum of Five Million Dollars
32. For the thirty-second cause of action for Conspiracy to Commit Forcible Trespass, the sum of Fifteen Million Dollars
33. For the thirty-third cause of action for Conspiracy to Commit Civil Assault, the sum of Fifteen Million Dollars
34. For the thirty-fourth cause of action for Conspiracy to Commit Interference with Right of Privacy, the sum of Twenty Million Dollars
35. For the thirty-fifth cause of action for Conspiracy to Commit Malicious Prosecution, the sum of Fifty Million Dollars
36. For the thirty-sixth cause of action for Conspiracy to Commit Prima Facie Tort, the sum of Fifty Million Dollars
37. For the thirty-seventh cause of action for Aiding and Abetting Fraud, the sum of Ten Million Dollars
38. For the thirty-eighth cause of action for Aiding and Abetting Defamation, the sum of Twenty Million Dollars
39. For the thirty-ninth cause of action for Aiding and Abetting Product Disparagement, the sum of Five Million Dollars
40. For the fortieth cause of action for Aiding and Abetting Unfair Competition, the sum of Five Million Dollars
41. For the forty-first cause of action for Aiding and Abetting Tortious Interference with Prospective Economic Relations, the sum of Twenty Million Dollars
42. For the forty-second cause of action for Aiding and Abetting Tortious Interference with Prospective Business Advantage, the sum of Twenty Million Dollars
43. For the forty-third cause of action for Aiding and Abetting Violation of Statute, the sum of Twenty Million Dollars
44. For the forty-fourth cause of action for Aiding and Abetting Abuse of Process, the sum of Twenty Million Dollars
45. For the forty-fifth cause of action for Aiding and Abetting Intentional Infliction of Emotional Distress, the sum of Fifty Million Dollars
46. For the forty-sixth cause of action for Aiding and Abetting Negligent Infliction of Emotional Distress, the sum of Fifty Million Dollars
47. For the forty-seventh cause of action for Aiding and Abetting Abuse of Civil Process, the sum of Twenty Million Dollars
48. For the forty-eighth cause of action for Aiding and Abetting Conversion, the sum of Twenty Million Dollars
49. For the forty-ninth cause of action for Aiding and Abetting Trespass, the sum of Five Million Dollars
50. For the fiftieth cause of action for Aiding and Abetting Forcible Trespass, the sum of Fifteen Million Dollars
51. For the fifty-first cause of action for Aiding and Abetting Civil Assault, the sum of Fifteen Million Dollars
52. For the fifty-second cause of action for Aiding and Abetting Interference with Right of Privacy, the sum of Twenty Million Dollars
53. For the fifty-third cause of action for Aiding and Abetting Malicious Prosecution, the sum of Fifty Million Dollars
54. For the fifty-fourth cause of action for Aiding and Abetting Prima Facie Tort, the sum of Fifty Million Dollars

55. For the fifty-fifth cause of action for Fraud: Punitive Damages, the sum of Fifty Million Dollars
56. For the fifty-sixth cause of action for Defamation: Punitive Damages, the sum of Fifty Million Dollars
57. For the fifty-seventh cause of action for Product Disparagement: Punitive Damages, the sum of Fifty Million Dollars
58. For the fifty-eighth cause of action for Unfair Competition: Punitive Damages, the sum of Fifty Million Dollars
59. For the fifty-ninth cause of action for Tortious Interference with Prospective Economic Relations: Punitive Damages, the sum of Fifty Million Dollars
60. For the sixtieth cause of action for Tortious Interference with Prospective Business Advantage: Punitive Damages, the sum of Fifty Million Dollars
61. For the sixty-first cause of action for Violation of Statute: Punitive Damages, the sum of Fifty Million Dollars
62. For the sixty-second cause of action for Abuse of Process: Punitive Damages, the sum of Fifty Million Dollars
63. For the sixty-third cause of action for Intentional Infliction of Emotional Distress: Punitive Damages, the sum of Fifty Million Dollars
64. For the sixty-fourth cause of action for Negligent Infliction of Emotional Distress: Punitive Damages, the sum of Fifty Million Dollars
65. For the sixty-fifth cause of action for Abuse of Civil Process: Punitive Damages , the sum of Fifty Million Dollars
66. For the sixty-sixth cause of action for Conversion: Punitive Damages, the sum of Fifty Million Dollars
67. For the sixty-seventh cause of action for Trespass: Punitive Damages, the sum of Fifty Million Dollars
68. For the sixty-eighth cause of action for Forcible Trespass: Punitive Damages, the sum of Fifty Million Dollars
69. For the sixty-ninth cause of action for Civil Assault: Punitive Damages, the sum of Fifty Million Dollars
70. For the seventieth cause of action for Interference with Right of Privacy: Punitive Damages, the sum of Fifty Million Dollars
71. For the seventy-first cause of action for Malicious Prosecution: Punitive Damages, the sum of Fifty Million Dollars
72. For the seventy-second cause of action for Prima Facie Tort: Punitive Damages, the sum of Fifty Million Dollars
73. For the seventy-third cause of action for Fraud: Injunctive Relief, to cease and desist and refrain from future fraudulent activities in the seizure and possession of Plaintiff's horses.
74. For the seventy-fourth cause of action for Defamation: Injunctive Relief, to cease and desist from making any further defamatory statements regarding Plaintiff and her business activities.
75. For the seventy-fifth cause of action for Product Disparagement: Injunctive Relief, to cease and desist further product disparagement activities.
76. For the seventy-sixth cause of action for Unfair Competition: Injunctive Relief, to cease and desist any further unfair competition activities.
77. For the seventy-seventh cause of action for Tortious Interference with Prospective Economic Relations: Injunctive Relief, to cease and desist such activities.

78. For the seventy-eighth cause of action for Tortious Interference with Prospective Business Advantage: Injunctive Relief, to cease and desist such activities.
79. For the seventy-ninth cause of action for Violation of Statute: Injunctive Relief, to cease and desist such activities.
80. For the eightieth cause of action for Abuse of Process: Injunctive Relief, to cease and desist such activities.
81. For the eighty-first cause of action for Intentional Infliction of Emotional Distress: Injunctive Relief, to cease and desist such activities.
82. For the eighty-second cause of action for Negligent Infliction of Emotional Distress: Injunctive Relief, to cease and desist such activities.
83. For the eighty-third cause of action for Abuse of Civil Process: Injunctive Relief , to cease and desist such activities.
84. For the eighty-fourth cause of action for Conversion: Injunctive Relief, to return seized horses and return extorted funds.
85. For the eighty-fifth cause of action for Trespass: Injunctive Relief, to cease and desist from any further entry upon the lands of the Plaintiff.
86. For the eighty-sixth cause of action for Forcible Trespass: Injunctive Relief, to cease and desist from any further entry upon the lands of the Plaintiff.
87. For the eighty-seventh cause of action for Civil Assault: Injunctive Relief, to cease and desist verbal abuse against the Plaintiff, to discontinue any and all such activities and to return all funds paid by the Plaintiff to the SPCA as security.
88. For the eighty-eighth cause of action for Interference with Right of Privacy: Injunctive Relief, to cease and desist any further activities that interfere with the Plaintiff and to discontinue any prosecution of the Plaintiff.
89. For the eighty-ninth cause of action for Malicious Prosecution: Injunctive Relief, to cease and desist any further activities that interfere with the Plaintiff and to discontinue any prosecution of the Plaintiff.
90. For the ninetieth cause of action for Prima Facie Tort: Injunctive Relief, to cease and desist such activities.

IF YOU FAIL TO APPEAR within the time stated, default judgment may be entered against you in the amount of $2,175,000,000 plus an additional amount per day of $1,000,000 for each day from March 18, 2013 through the date of entry of judgment, together with interest, costs, disbursements, attorneys' fees, and such other relief the Court may deem proper.

Dated: March 18, 2013
Niagara Falls, New York



JOHN P. BARTOLOMEI
Attorney for Plaintiff
335 Buffalo Avenue
Niagara Falls, New York 14303
(716) 282.2774

STATE OF NEW YORK: SUPREME COURT
COUNTY OF ERIE

BETH LYNNE HOSKINS, as Mother
and Natural Guardian of an unnamed
infant herein designated as "Infant X"

Plaintiff,

vs.

SUMMONS WITH NOTICE
Index No.

THE ERIE COUNTY SOCIETY FOR THE
PREVENTION OF CRUELTY TO
ANIMALS ("ERIE COUNTY SPCA")

BARBARA S. CARR, Individually and as
Executive Director of the Erie County SPCA

LINDSEY M. STYBORSKI, Individually and
as Coordinator for the Cruelty Investigation
Department of the Erie County SPCA

AMY JAWORSKI, Individually and as
Animal Rescue Supervisor of the Erie
County SPCA

ALEX COOKE, Individually and as a NYS
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GINA BROWNING, Individually and as
Director of Public Relations of the
Erie County SPCA

LAWRENCE F. ROBB, Individually and as
President of the Erie County SPCA Board of Directors

MATTHEW A. ALBERT, Individually and as
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JEFF STACEY

BARBARA BOOTH

JOHN DOE, name and address unknown

JANE DOE, name and address unknown

DOE CORP., name and address unknown

DOE, LLC, name and address unknown

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE SUMMONED to appear in this action by serving a Notice of Appearance or Demand for Complaint on the Plaintiff within the time limits stated below.

VENUE: Erie County is designated as the county where this action will be tried because the Plaintiff resides in that county.

TIME LIMITS TO APPEAR: If this summons is served by delivery to you personally within New York State, you must appear within TWENTY (20) days after such deliver. If this summons is not served by delivery to you personally within New York State, you must appear within THIRTY (30) days after service is complete.

NATURE OF ACTION:

1. Intentional Infliction of Emotional Distress

2. Negligent Infliction of Emotional Distress
3. Civil Assault
4. Conspiracy to Commit Intentional Infliction of Emotional Distress
5. Conspiracy to Commit Negligent Infliction of Emotional Distress
6. Conspiracy to Commit Civil Assault
7. Aiding and Abetting Intentional Infliction of Emotional Distress
8. Aiding and Abetting Negligent Infliction of Emotional Distress
9. Aiding and Abetting Civil Assault
10. Intentional Infliction of Emotional Distress: Punitive Damages
11. Negligent Infliction of Emotional Distress: Punitive Damages
12. Civil Assault: Punitive Damages
13. Intentional Infliction of Emotional Distress: Injunctive Relief
14. Negligent Infliction of Emotional Distress: Injunctive Relief
15. Civil Assault: Injunctive Relief

RELIEF SOUGHT: The Plaintiff requests the following award and judgment against each and all of the Defendants, individually and jointly and separately:

1. On the first cause of action for Intentional Infliction of Emotional Distress, the sum of Five Million Dollars
2. On the second cause of action for Negligent Infliction of Emotional Distress, the sum of Five Million Dollars
3. On the third cause of action for Civil Assault, the sum of Fifteen Million Dollars
4. On the fourth cause of action for Conspiracy to Commit Intentional Infliction of Emotional Distress, the sum of Five Million Dollars
5. On the fifth cause of action for Conspiracy to Commit Negligent Infliction of Emotional Distress, the sum of Five Million Dollars
6. On the sixth cause of action for Conspiracy to Commit Civil Assault, the sum of Fifteen Million Dollars
7. On the seventh cause of action for Aiding and Abetting Intentional Infliction of Emotional Distress, the sum of Five Million Dollars
8. For the eighth cause of action for Aiding and Abetting Negligent Infliction of Emotional Distress, the sum of Five Million Dollars
9. On the ninth cause of action for Aiding and Abetting Civil Assault, the sum of Five Million Dollars
10. On the tenth cause of action for Intentional Infliction of Emotional Distress: Punitive Damages, the sum of Ten Million Dollars
11. For the eleventh cause of action for Negligent Infliction of Emotional Distress: Punitive Damages, the sum of Ten Million Dollars
12. On the twelfth cause of action for Civil Assault: Punitive Damages, the sum of Ten Million Dollars
13. On the thirteenth cause of action for Intentional Infliction of Emotional Distress: Injunctive Relief, to cease and desist such activities.
14. On the fourteenth cause of action for Negligent Infliction of Emotional Distress: Injunctive Relief, to cease and desist such activities.
15. On the fifteenth cause of action for Civil Assault: Injunctive Relief, to cease and desist verbal abuse against the Plaintiff and her mother, Beth Hoskins.

IF YOU FAIL TO APPEAR within the time stated, default judgment may be entered against you in the amount of $95,000,000 plus an additional amount of $100,000 per day for each day from March 18, 2013 through the date of entry of judgment, together with interest, costs, disbursements, attorneys' fees, and such other relief the Court may deem proper.

Dated: March 18, 2013
Niagara Falls, New York

JOHN P. BARTOLOMEI
Attorney for Plaintiff
335 Buffalo Avenue
Niagara Falls, New York 14303
(716) 282.2774