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

September 12, 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:	*Giardina-Geary, Kaily v. Sheriff Howard and County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Kaily Giardina-Geary 1325 Park Lane Grand Island, New York 14072
Claimant's attorney:	W. James Schwan, Esq. Law Office of W. James Schwan Ellicott Square Building 295 Main Street, Suite 700 Buffalo, New York 14203

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.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

KAILY GIARDINA-GEARY,

Claimant

against NOTICE OF CLAIM

TIMOTHY B. HOWARD, as Sheriff of Erie County and
COUNTY OF ERIE.

To the County Attorney of the County of Erie
To the Clerk of the Legislature of Erie County
To Timothy B. Howard, as Sheriff of Erie County

PLEASE TAKE NOTICE that Kaily Giardina-Geary, the claimant herein ("claimant"), does hereby make the following claim for salary, wages and benefits required by General Municipal Law, Section 207-c against the County of Erie and Timothy B. Howard, as Sheriff of Erie County, and in support thereof states:

1. The claimant resides at 1325 Park Lane, Grand Island, New York.

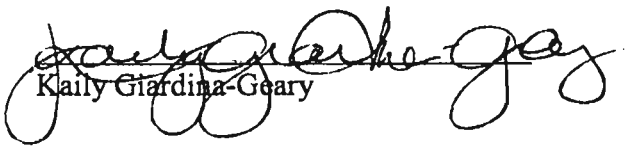
2. The name and post office address of claimant's attorney is W. James Schwan, Esq., 295 Main Street, Suite 700, Buffalo, New York 14203.

3. The claim against the County of Erie and Timothy B. Howard, as Sheriff of Erie County is for salary, wages and benefits required to be paid to the claimant under General

Municipal Law, Section 207-c. The claimant was injured while in the performance of duties as a deputy sheriff which was recognized as a performance of duty injury under General Municipal Law, Section 207-c. The claimant has since the injury on April 6, 1999 received hospital care and medical treatment necessitated by reason of such injury. The claimant has suffered additional back injuries found to be casually related to the April 6, 1999 injury. The claimant has requested General Municipal Law, Section 207-c coverage and benefits, but such request was denied by letter dated June 6, 2013. There is no basis for denial of the claimant's claim for salary, wages and benefits under General Municipal Law, Section 207-c.

4. The claimant seeks salary, wages and benefits required to be paid under General Municipal Law, Section 207-c and reimbursement of all monies claimant is compelled to expend by reason of the failure to provide General Municipal Law, Section 207-c coverage.

Dated: Buffalo, New York
August 29, 2013



Kaily Giardina-Geary

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO)

Kaily Giardina-Geary, being duly sworn, deposes and says that deponent is the Claimant in the within proceeding; that deponent has read the foregoing Notice of Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.

Kaily Giardina-Geary

Sworn to before me this 27
day of August, 2013.

Notary Public