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

July 15, 2014

Mr. Scott W. Kroll, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Kroll:

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:	*Anderson, James, In re ECMCC Petition for Appointment of Guardian for Person and/or Property of*
Document Received:	Order to Show Cause
Name of Claimant:	James Anderson
Claimant's attorney:	Bradley Loliger, Esq. Legal Services for the Elderly, Disabled or Disadvantaged of W.N.Y., Inc. 237 Main Street, Suite 1015 Buffalo, New York 14203-2717

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: Michelle Parker
Michelle Parker
First Assistant County Attorney

MMP:dld
Enc.

ENTERED
SHERIFF

2014 JUL 11 PM 12:53

At a Special Term of the Supreme Court of the State of New York, held in and for the County of Erie at the courthouse located at 25 Delaware Ave. on the 9th day of July, 2014

CHECK PAID CASH
JUL 03 2014
ERIE COUNTY CLERK'S OFFICE

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of

ERIE COUNTY MEDICAL CENTER CORPORATION, by ANN VICTOR LAZARUS, CPHRM, MS, RN, Vice President Patient Advocacy, as Designee of JODY LOMEO, Chief Executive Officer

Petitioner

For the Appointment of a Guardian of the Person and/or Property of

JAMES ANDERSON

An Alleged Incapacitated Person

ORDER TO SHOW CAUSE

FILED
ACTIONS & PROCEEDINGS
JUL 09 2014
ERIE COUNTY CLERK'S OFFICE

Index No.:
SF 2012-901444

Upon the reading and filing of the annexed Verified Petition of Helen Ferraro-Zaffram, Supervising Attorney, Guardianship Unit, Legal Services for the Elderly, Disabled, or Disadvantaged of Western New York, Inc. ("LSED"), verified on the 3rd day of July, 2014, let Sherill Patton; James Anderson; Antonio Cardarelli, Esq., attorney for James Anderson; Margaret Murphy, Esq., Attorney for Petitioner; Administrator, Terrace View Long Term Care Facility; Chief Clerk, City Court of Buffalo; Commissioner of Administration, Finance, and Urban Affairs, City of Buffalo; and Tim Howard, Erie County Sheriff, SHOW CAUSE at a Special Term of the Supreme Court, Part 13, to be held in and for the County of Erie at the Courthouse located at 25 Delaware Avenue in the City of Buffalo, New York on the 21 day of July, 2014, at 9:30 in the fore/~~afternoon~~ of that day or as soon thereafter

as counsel may be heard before the Honorable M. William Boller, J.S.C., why an ORDER should not be entered:

1. Granting the relief requested in the annexed Verified Petition; AND

2. Directing the Sheriff of Erie County to transfer the real property at 215 Davidson Avenue, Buffalo, New York to James Anderson, as Sheriff of Erie County on behalf of Sherill Patton, Pursuant to CPLR § 5107, AND

3. Directing the Sheriff of Erie County to effectuate the transfer of the real property at 215 Davidson Avenue, Buffalo, New York by executing the Sheriff's Quit Claim Deed on behalf of Sherill Patton; AND

4. Directing the Sheriff of Erie County to complete Real Property Transfer Report Form RP-5217 as Sheriff of Erie County on behalf of Sherill Patton; AND

5. Directing the Sheriff of Erie County to complete NYS Form TP-584, Combined Real Estate Transfer Tax Return as Sheriff of Erie County on behalf of Sherill Patton; AND

6. Finding that said Sheriff's Quit Claim Deed shall constitute good, sufficient and complete conveyance of the premises at 215 Davidson Avenue, Buffalo, New York; AND

7. Ordering that all terms, conditions, and provisions of any nature related to the Sheriff's Quit Claim Deed shall bind Sherill Patton and all persons claiming under or through her as if the deed had been executed by Sherill Patton; AND

8. Directing the Erie County Sheriff, after he has signed and acknowledged the Sheriff's Quit Claim Deed to James Anderson, as Erie County Sheriff on behalf of Sherill Patton, to record the same in the Office of the Clerk of Erie County; AND

9. Directing the Erie County Sheriff, after he has signed and acknowledged Real Property Transfer Report Form RP-5217, as Sheriff of Erie County on behalf of Sherill Patton, to record the same in the Office of the Clerk of Erie County; AND

10. Directing the Erie County Sheriff, after he has signed and acknowledged NYS Form TP-584, Combined Real Estate Transfer Tax Return as Sheriff of Erie County on behalf of Sherill Patton, to record the same in the Office of the Clerk of Erie County; AND

11. Awarding LSED costs and attorneys fees for the extended time and effort in transferring the property back to James Anderson as a result of Sherill Patton's refusal to obey the Order of the Court; AND

12. For such other and further relief as to this court may seem just and proper; and it is further

ORDERED, that personal service of a copy of this Order, together with the papers upon which it was granted be served on Sherill Patton on or before JULY 14, 2014 be deemed sufficient service; and it is further

ORDERED that service of a copy of this Order, together with the papers upon which it was granted, by first class mail or facsimile upon the appropriate and required parties and counsel listed herein on or before JULY 14, 2014 be deemed sufficient service.

GRANTED JUL 0 9 2014

/S/ HON. M. WILLIAM BOLLER, J.S.C.

Hon. M. William Boller, J.S.C.

DATED: Buffalo, New York

GRANTED
JUL 0 9 2014

/S/ CHRISTINE RYDER
COURT CLERK

To: Sherill Patton
215 Davidson Avenue
Buffalo, New York 14215

Sherill Patton
227 Hutchinson Avenue
Buffalo, New York 14215

James Anderson
Terrace View Long Term Care Facility
462 Grider Street
Buffalo, New York 14215

Antonio Cardarelli, Esq.
69 Delaware Avenue
Suite 702
Buffalo, New York 14202

Margaret Murphy, Esq.
Colucci & Gallaher, P.C.
2000 Liberty Building
424 Main Street
Buffalo, New York 14202

Administrator
Terrace View Long Term Care Facility
462 Grider Street
Buffalo, New York 14215

Chief Clerk
City Court of Buffalo
50 Delaware Avenue
Buffalo, New York 14202

Commissioner of Administration, Finance, and Urban Affairs
City of Buffalo
65 Niagara Square
Room 113
Buffalo, New York 14202

Tim Howard
Erie County Sheriff
10 Delaware Avenue
Buffalo, New York 14202