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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

October 20, 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:	*Smalls, Tyrone v. County of Erie, Office of Children & Family Services*
Document Received:	Notice of Claim
Name of Claimant:	Tyrone Smalls 198 Herman Street Buffalo, New York 14215
Claimant's attorney:	Etido Udousoro, Esq. 1133 Kensington Avenue Buffalo, New York 14215

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.

paper received at the
County Attorney's Office
from Etido Udousoro on
the 15 day of Oct, 2014
at 3:07 a.m./p.m.
Assistant County Attorney

STATE OF NEW YORK : COUNTY OF ERIE

IN THE MATTER OF THE CLAIM OF
TYRONE SMALLS

Claimant,

Against

NOTICE OF CLAIM

THE COUNTY OF ERIE,
OFFICE OF CHILDREN & FAMILY SERVICES (NY)

Defendants.

PLEASE TAKE NOTICE, that the claimant TYRONE SMALLS, residing at 198 Herman St. Buffalo, New York, hereby notifies The County Of Erie of his intention to file a contract claim.

Name of Claimant's Attorneys:
FRANKLINE PRATCHER Esq.& ETIDO UDOUSORO Esq.
1133 Kensington Ave. Buffalo NY 14215

Nature Of Claim: Employment Contract Claim

Time Claim arose: October 6th 2014

Place Claim arose: Erie County NY

Manner In which Claim arose: Mr. Smalls was terminated from his job at The Erie County Detention Center, at 810 East Ferry St. Buffalo, NY. On June 6th 2009 Based on allegations of maltreatment of a detainee at the center. Mr. Smalls appealed his termination and the Judge found in favor of Mr. Smalls that the allegations against him was unfounded, Judgment was entered on July 8th 2014. In response to this judgment Mr. Smalls opened communications between his Union Representative (AFSCME Local 1095) and Mary Thomas Scott, the Deputy Director Of Labor Relations for Erie County to look into reinstating him to his job at the Detention center. These talks failed on October 6th 2014 at which time Mary Thomas Scott, in an e-mail stated that she intends to have the matter sent to arbitration instead of restoring Mr. Smalls to his job.

Monetary Demand: $202,000.00 (two hundred and two thousand dollars).

Monetary Computation Explanation: six (6) years of back pay at a rate of $32,000 per year = $192,000.00 + Attorneys Fees and court cost = $10,000.00

None monetary Demand: Re-instatement of Mr. Smalls to his job at the Erie County Detention Center at his proper Seniority level.

DATED : OCT. 14TH 2014

Respectfully submitted
FRANKLIN M. PRATCHER, ESQ
ETIDO UDOUSORO ESQ

Attorneys for the Claimant
1133 Kensington Ave.
Buffalo NY 14215
716-838-4612

To: **MICHEAL A. SIRAGUSA**
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