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

December 9, 2014

Ms. Karen McCarthy, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

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:	*Gregg, Susan v. County of Erie*
Document Received:	Notice of Claim
Name of Claimant:	Susan Gregg 332 Adam Street Tonawanda, NY 14150
Claimant's attorney:	James Ostrowski, Esq. 63 Newport Avenue Buffalo, New York 14216

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.

This paper received at the
Erie County Attorney's Office
from James Ostrowski on
the 8 day of December, 2014
at 4:54 a.m./p.m.
Cricka Bennett
Assistant County Attorney

STATE OF NEW YORK: COUNTY OF ERIE

SUSAN GREGG,

Claimant,

-against-

THE COUNTY OF ERIE,

Respondent.

NOTICE OF CLAIM

PLEASE TAKE NOTICE that the Claimant, SUSAN GREGG, hereby files this notice of claim with the County of Erie pursuant to N.Y. County Law § 52 and General Municipal Law Section 50-e.

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:
CITY OF BUFFALO)

SUSAN GREGG, residing at 332 Adam St., Tonawanda, N. Y. 14150, being duly sworn, deposes and states:

Name and post-office address of the claimant: SUSAN GREGG, 332 Adam St., Tonawanda, N. Y. 14150.

The nature of the claim: The claim is for defamation under state and federal law (42 USC 1983) and violation of due process and county procedures under state and federal law by the County of Erie and County employees acting within the scope of their employment including County Legislature Chairman John J. Mills.

The time when, the place where and the manner in which the claim arose: The claim arose from October 29 through November 6, 2014 when claimant was falsely accused and

wrongly disciplined for allegedly leaking a Republican legislative memo to Democratic legislators and allegedly improperly disclosing the cell phone number of legislator Morton, resulting in his receipt of critical phone call involving the vote on the Amigone Funeral Home crematory. The memo was drafted by Steven Whipple and dated October 17, 2014.

Both allegations are false and without any evidentiary basis whatsoever. Moreover, she was not afforded any due process and she has been provided with no documentation as to how and why she was penalized and by whom.

Nevertheless, on information and belief, Chairman Mill imposed the discipline which included the loss of three days' pay and a bonus for perfect attendance.

The items of damage or injuries claimed to have been sustained: Claimant's damages and injuries include: pain and suffering, anxiety, humiliation, loss of reputation and harm to her occupation, legislative aide, with resulting loss of income, and other benefits, attorneys' fees and other out of pocket expenses. The total amount claimed will be supplied upon demand.

Dated: December 8, 2014
Buffalo, New York

SUSAN GREGG

JAMES OSTROWSKI
Attorney for Claimant
63 Newport Ave.
Buffalo, New York 14216
(716) 435-8918

SWORN TO BEFORE ME THIS
8th DAY OF DECEMBER, 2014

JAMES OSTROWSKI
Notary Public—State of New York
Qualified in Erie County
Commission expires 7/5/2015