



COUNTY OF ERIE

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DEPARTMENT OF LAW

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November 17, 2016

Hon. John J. Mills, Chairman
Erie County Legislature
Old Erie County Hall
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Resolution - Review of Use of Outside Counsel by the Erie County
Attorney

Dear Chairman Mills:

On September 14, 2016, the above-referenced Resolution was clocked-in with the Clerk of the Erie County Legislature. The Resolution was entitled "Review of Use of Outside Counsel by the Erie County Attorney" ("2016 Resolution.") The 2016 Resolution requested that the County Attorney submit the 2012 report to the Legislature at the first session in October of 2016, which was in fact provided. The 2016 Resolution further requested that the County Attorney "conduct a new study to be submitted to the County Legislature reviewing the time period that begins from the end of the previous report in 2012 to include the most recent information available." The enclosed document constitutes the new report requested by the Legislature. Accordingly, the enclosed report reviews the use of outside counsel over a four and a half (4.5) year period, from January 1, 2012 through June 30, 2016. The County Attorney's prior report prepared in 2012 was a review of the use of outside counsel over a four (4) year period, from January 1, 2008 through December 31, 2011.

The 2016 Resolution alleges that certain uses of outside counsel were a "waste of taxpayer dollars." Those baseless and politically motivated assertions are an insult to the hard working men and women of the Department of Law. The data presented in this report clearly indicates that I have managed the use of outside counsel in a much more efficient manner than the prior administration. The data also shows that my use of outside counsel resulted in a dramatic turn-around of the Erie County Department of Law from an office that had been operated at a loss to County taxpayers to one that has been and continues to be operated at a significant gain to County taxpayers as it has resulted in recoveries of approximately \$60 million; it has brought the County into HIPAA compliance; and it has protected the

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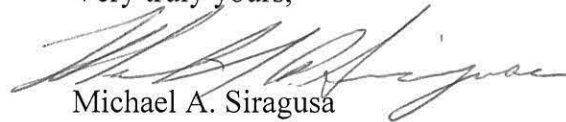
County's interests in Article 7 tax assessment challenges which had resulted in millions of dollars of unwarranted costs to County taxpayers due to previous administrations' failure to intervene in such matters.

I am proud of the great work that has been conducted by the staff at the Department of Law despite being faced with some of the lowest staffing levels in the history of the department. As you are well aware, the department is devoid of any paralegals, investigators or nurses. It also has one of the lowest attorney staffing levels in decades. No private law firm could effectively manage the magnitude and complexity of cases/matters that this office handles on a daily basis with similar staffing levels. I have a staff that works incredibly hard and takes pride in their work. They do what they need to do to get the job done despite being faced with an office that has been gutted by previous administrations and having been faced with some of the lowest Risk Retention reserve levels in the history of the County. As is clear from the enclosed report, I have managed the department, as well as the use of outside counsel, in an effective and efficient manner.

Also evident from the enclosed report, the Department of Law has taken on more work than previous administrations and has done so without overuse of outside counsel. There is no question that additional staffing would lead to a reduction in reliance on outside counsel. However, this Honorable Body needs to make a determination on what business model it wants this department to operate under. The choices are either to have lower staffing levels and increased reliance on outside counsel (which has been the model this County has moved to) or to increase staffing levels and have less reliance on outside counsel.

When I began as County Attorney, I was presented with the lowest staffing level in the history of the Department of Law. To then criticize me for my use of outside counsel is patently unfair, unwarranted, inaccurate, and clearly nothing more than a politically motivated attack. I deserve better, my staff deserves better, and the taxpayers of Erie County deserve better.

Very truly yours,



Michael A. Siragusa
Erie County Attorney

Enc.



**COUNTY ATTORNEY'S REPORT
ON THE USE OF OUTSIDE COUNSEL**

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INTRODUCTION

On January 3, 2012, Erie County Executive Mark C. Poloncarz signed Executive Order number 005 directing the Erie County Attorney to conduct a review of the use of outside counsel which had been retained over the past four (4) years by the Erie County Department of Law, and to prepare a report regarding same. The County Executive directed that the County Attorney review and report on a number of issues relating to the use of outside counsel, unless it was determined by the County Attorney that certain information was exempt from public disclosure. That report was completed on February 24, 2012.

On September 14, 2016, Erie County Legislators Joseph Lorigo and John Mills filed a Resolution regarding “Review of Use of Outside Counsel by the Erie County Attorney” (“2016 Resolution.”) The 2016 Resolution requested that the County Attorney submit the 2012 report to the Legislature at the first session in October of 2016. The County Attorney provided same to the Legislature prior to the first legislative session of October 2016.

The 2016 Resolution further requested that the County Attorney “conduct a new study to be submitted to the County Legislature reviewing the time period that begins from the end of the previous report in 2012 to include the most recent information available.” The 2016 Resolution also requests that the new study (i.e. report) “include all data presented in the 2012 report to the County Executive pursuant to Executive Order #005.” This document constitutes the report requested by the Legislature pursuant to the 2016 Resolution.

This report is a review of the Erie County Department of Law’s use of outside counsel over a four and a half (4.5) year period from January 1, 2012 through June 30, 2016. The County Attorney’s prior report prepared in 2012 was a review of the use of outside counsel over a four (4) year period from January 1, 2008 through December 31, 2011.

The 2016 Resolution alleges that certain uses of outside counsel were a “waste of taxpayer dollars.” However, the data presented in this report clearly indicates that the County Attorney has managed the use of outside counsel in a much more efficient manner than the prior administration. The data also reflects that the County Attorney’s use of outside counsel resulted in a dramatic turn-around of the Erie County Department of Law from an office that had been operated at a loss to County taxpayers to one that has been and continues to be operated at a significant gain to County taxpayers.

I. SUMMARY OF MONIES EXPENDED ON OUTSIDE COUNSEL

1. PAYMENTS ATTRIBUTABLE TO PRIOR ADMINISTRATION – Payments Made Between 1/1/2008 and 12/31/2011 Relating To Matters Referred To Outside Counsel By Prior Administration (4 YEAR PERIOD)

As set forth in the 2012 Outside Counsel Report, there were one hundred and twelve (112) matters handled by outside counsel under the prior administration. The fees and costs paid to outside counsel by the prior administration over the four (4) year period of 1/1/2008 through 12/31/2011 (excluding foreclosure matters) relating to those matters was in the amount of:

Expenditure = \$2,580,678.07

The amount of fees and costs paid to outside counsel attributable to foreclosure matters was in the amount of:

Expenditure = \$218,750.00

2. PAYMENTS ATTRIBUTABLE TO CURRENT ADMINISTRATION – Payments Made Between 1/1/2012 And 12/31/2015 Relating To Matters Referred To Outside Counsel By Current Administration (4 YEAR PERIOD)

There are ninety-eight (98) matters (excluding foreclosure matters – see below) contained on the attached spreadsheets that were referred to outside counsel by the current

administration. The fees and costs attributable to those matters paid to outside counsel between 1/1/2012 and 12/31/2015 were:

Expenditure = \$2,746,346.30

Note: This number includes \$364,171.64 spent on outside counsel to assist with the negotiating and drafting of the Buffalo Bills lease; \$363,175.72 spent on the DeJac matter that was required to be referred to three outside counsel due to conflict issues; and \$112,000.00 spent on bringing the County into Health Insurance Portability and Accountability Act (HIPAA) compliance. In addition, staffing levels at the Department of Law are at the lowest levels in 20 years; and outside counsel hourly rates have increased due to inflation and the marketplace.

RETURN ON INVESTMENT

One (1) of the ninety-eight (98) matters referred to outside counsel was the matter entitled *County of Erie v. New York State Department of Health, et al.*, wherein the County Attorney directed that an action be brought against the State of New York in order to recover monies improperly paid by the County of Erie as Medicaid reimbursement during the prior administration. The matter was settled for the full reimbursement amount of \$5,343,444.50, which was received by the County of Erie on May 28, 2015.

Recovery = \$5,343,444.50

3. PAYMENTS ATTRIBUTABLE TO CURRENT ADMINISTRATION – Payments Made Between 1/1/2016 And 6/30/2016 Relating To Matters Referred To Outside Counsel By Current Administration (6 MONTH PERIOD)

Of the ninety-eight (98) matters (excluding foreclosure matters – see below) contained on the attached spreadsheets that were referred to outside counsel by the current administration, the fees and costs attributable to those matters paid to outside counsel between 1/1/2016 and 6/30/2016 (6 MONTH PERIOD) were:

Expenditure = \$567,345.82

4. PAYMENTS ATTRIBUTABLE TO PRIOR ADMINISTRATION – Payments Made Between 1/1/2012 and 6/30/2016 Relating To Matters Referred To Outside Counsel By The Prior Administration

As stated above, under the prior administration, there were one hundred and twelve (112) matters handled by outside counsel. There are forty-two (42) remaining matters contained on the attached spreadsheets that were referred to outside counsel by the prior administration. The fees and costs attributable to those matters paid to outside counsel between 1/1/2012 and 6/30/2016 were in the amount of:

Expenditure = \$1,343,052.00

5. PAYMENTS ATTRIBUTABLE TO CURRENT ADMINISTRATION FOR FORECLOSURE MATTERS – Payments Made Between 1/1/2012 And 6/30/2016 To Outside Counsel Relating To Foreclosure Matters By Current Administration

There are six (6) foreclosure matters contained on the attached spreadsheets that were referred to outside counsel by the current administration. The fees and costs attributable to those matters paid to outside counsel between 1/1/2012 and 6/30/2016 were:

Expenditure = \$3,554,966.20

RETURN ON INVESTMENT:

As indicated above, the current administration spent \$3,554,966.20 on the use of outside counsel to handle County of Erie foreclosure work. As a result, the County of Erie recovered the following amount:

Recovery = \$54,135,895.00

II. AREAS DIRECTED TO BE REVIEWED PURSUANT TO RESOLUTION

A. A Complete List Of Any Outside Counsel That Was Retained Since The Drafting Of The Report Created Pursuant To Executive Order #005

A complete listing of all outside counsel that have been retained over the prior four and a half (4.5) years, is set forth within the spreadsheets attached hereto as *Exhibit A (1/1/2012 – 12/31/2015 Open Matters)*; *Exhibit “B” (1/1/2016 – 6/30/2016 Open Matters)*; and *Exhibit “C” (2012 – 2016 Closed Matters)*. Matters handled by coverage counsel retained by outside insurance companies pursuant to indemnification agreements secured by the Department of Law are not included, nor are contingent fee matters for which the County has not paid fees or costs.

Over the past four and a half (4.5) years, there have been ninety-eight (98) litigation and general counsel matters for which the County Attorney has retained outside counsel, and six (6) foreclosure matters for which the County Attorney has retained outside counsel. NOTE: forty-two (42) of the matters listed on the attached spreadsheets were referred to outside counsel by the prior administration.

In certain matters, the County of Erie has had to retain more than one firm to represent multiple parties to a lawsuit/matter due to conflict issues that have arisen. One example is the case entitled *Lynn Peters a/k/a Lynn DeJac v. County of Erie, et al.*, wherein a legal conflict arose amongst the defendants which required the County of Erie to retain three separate outside counsel to represent the three (3) County defendants. The resulting outside counsel fees and costs in that matter totaled \$363,175.72.

B. A Detailed Description Of All Cases Handled By Outside Counsel, Including Whether Such Representation Potentially Involves Litigation

A description of all cases/matters, including if the representation involves litigation or another type of matter, is set forth within the spreadsheets attached hereto as *Exhibits A, B & C*.

C. If Litigation Is Involved, Who Commenced The Action, The Identity Of The Defendant And What Relief Is Being Sought, Including The Outcome Of Any Resolved Matters

With respect to the litigation matters reported, the identities of the plaintiff(s) and defendant(s), along with the type of relief sought to the extent known, or the amount of recovery, is set forth within the spreadsheets attached hereto as *Exhibits A, B & C*.

D. If The County Of Erie Is Not The Defendant, But An Individual Associated With The County Is The Defendant, Determine If The Provisions Of The Public Officers Law That Authorizes Or Requires Defense And Indemnity For Governmental Employees Have Been Complied With

The information requested is not subject to disclosure as same is protected under the attorney-client privilege. Disclosure of the requested information would disclose confidential communications between attorneys and their clients. The attorney-client privilege protects confidential communications between an attorney and a client made "in the course of professional employment for the purpose of obtaining legal advice". Veras Inv. Partners, LLC v. Akin Gump Strauss Hauer & Feld, LLP, 52 A.D.3d 370, 372, 860 N.Y.S.2d 78 (1st Dept., 2008); see CPLR §4503. The privilege applies to confidential communications between a corporation, as the client, and that corporation's counsel and extends beyond corporate directors and officers and applies to lower-echelon corporate employees. See Niesig v. Team I, 76 N.Y.2d 363 371 (1990); Rossi v. Blue Cross & Blue Shield, 73 N.Y.2d 588, 591-592 (1989). Corporations are analogous to government agencies for the purpose of determining the applicability of the attorney-client privilege. See Matter of Morgan v. New York State Dept. of Env'tl. Conservation, 9 A.D.3d 586, 587, 779 N.Y.S.2d 643 (3d Dept. 2004); American Auto. Plan v. Corcoran, 166 A.D.2d 215 (1st Dept. 1990); Radovic v. City of New York, 168 Misc.2d 58, 60, 642 N.Y.S.2d 1015 (Sup. Ct., New York County 1996).

Accordingly, disclosure of the information requested is prohibited pursuant to the attorney-client privilege, as it contains confidential communications between various parties and their counsel for the purpose of obtaining legal advice. Therefore, the County Attorney cannot provide same.

E. A Determination If An RFP Was Used For The Procurement As Required By Law

A request for proposals (“RFP”) is not required by law for the purpose of procuring outside counsel by the County Attorney. Section 6.02 of the Erie County Administrative Code (the “Code”) sets forth the powers and duties, among other things, of the County Attorney. Section 6.02 (c) of the Code specifically states that “[T]he county attorney may, within the limits of the appropriations provided therefor, employ special counsel, professional or other consultant services and incur such expenses in connection therewith as he may deem necessary for the performance of his duties.” Accordingly, Section 6.02 of the Code vests the County Attorney with the authority to enter into contracts on behalf of the County to employ special counsel, professional or other consultant services, as he/she deems necessary to carry out the performance of his duties – within the confines of the appropriations provided for.

Accordingly, although it is good practice for the County Attorney to issue an RFP from time to time for the purpose of acquiring the various billing rates of particular firms for the handling of County legal matters, the County Attorney is not required to do so under either the Erie County Code or Charter.

An RFP was issued by a prior County Attorney in 2009. The responses to same were utilized, upon information and belief, by her and successor County Attorneys to establish a range of hourly rates being charged by law firms within the community to the County for the handling

of its various legal matters. Subsequent RFP's were issued by the current County Attorney at two (2) separate times during his tenure (in 2012 and again in 2015.)

F. A Description Of The Original Estimate Of The Cost For The Representation And A Statement Of All Expenses And Costs That Have Been Incurred And Are Expected To Be Incurred For Each

Estimates of the costs to be incurred by the County were not requested, nor were they provided by outside counsel retained by the County, over the past four and a half (4.5) years. This is not an unusual occurrence as it is difficult to determine at the outset of a particular matter what the fees and costs will be. There are too many factors that cannot be anticipated that would affect the amount of fees and costs that would be incurred during the handling of legal matters.

The spreadsheets attached hereto as *Exhibits A, B and C*, reflect the amounts that the County of Erie has paid to outside counsel over the past four and a half (4.5) years. As discussed below, and as discussed in the County Attorney's 2012 Outside Counsel Report, it is the County Attorney's opinion that this number can be significantly reduced by employing additional attorneys as well as paralegals in the Department of Law.

G. A Determination Of The Status Of All Open Representations Including The Amount Sought From The County, Or Sought By The County, And The Best Available Schedule For Their Completion

All open matters being handled by outside counsel over the past four and a half (4.5) years are reflected within the spreadsheets attached hereto as *Exhibits A & B*. All closed matters that were handled by outside counsel over the past four and a half (4.5) years are reflected within the spreadsheet attached hereto as *Exhibit C*.

To the extent a specific claim for relief and/or an exact amount of damages sought was indicated by parties adverse to the County, same has been set forth within the attached spreadsheets.

As far as the best available schedule for completion of the representation of matters being handled by outside counsel, it is very difficult to determine same. Again, there are too many factors that come into play in the handling of legal matters to make such a determination. Additionally, reporting on such an issue to the extent practicable, and making such an assessment publicly available to the County's adversaries, could result in adverse impact on the ability of outside counsel to effectively represent the County's interests. Accordingly, with all due respect, the County Attorney will not report on this issue in the best interests of the County.

H. A Determination Of The Level Of Risk And The Best Estimate For The Likely Outcome Of Each Representation

If the County Attorney were to report what his assessment is of the level of risk associated with each matter being handled by outside counsel, along with what his best estimate is of the likely outcome of a particular matter, it would result in an adverse impact on outside counsels' ability to effectively represent the County's interests. Making such an assessment available to the County's adversaries is not prudent and would result in adverse consequences to the County. Accordingly, with all due respect, the County Attorney will not report on this issue in the best interests of the County.

I. A Recommendation If There Should Be Any Changes In Current Representations

Taking into consideration that the County Attorney is satisfied with the current representation being provided by outside counsel to the County, along with the fact that significant fees and costs would be incurred by transferring matters from one particular law firm to another, the County Attorney does not recommend any changes in current representation.

J. A List Of All Recommendations Made Pursuant To Executive Order #005; Including Whether The Recommendations Have been Enacted, If The Recommendations Have Been Enacted A Summative Evaluation Of The Enacted Policies Should Be Included, And If They Have Not Been Enacted Include An Explanation For Why They Were Not Enacted

1. Recommendation – Hiring of Additional Attorneys

The recommendation made by the County Attorney after completing the 2012 Outside Counsel Report was that in order to reduce outside counsel fees, additional attorneys needed to be added to the staff at the County Attorney's Office. The recommendation was to add three (3) additional attorneys in order to reduce outside counsel fees. Subsequent to the issuance of the 2012 report, one (1) additional attorney was added to the staff at the County Attorney's Office. The County Attorney has requested that additional attorney lines be added. However, the requests have been refused by the County Legislature. As a result, this curtails the County Attorney's ability to reduce outside counsel fees. There are currently no paralegals, no nurses, and no investigators employed by the Department of Law as there have been in the past.

As stated in the 2012 Outside Counsel Report, in the past, the County Attorney's Office was staffed with approximately twenty five (25) attorneys (actually 26 attorneys as recently as 2004). Prior administrations reduced that number to thirteen (13) attorneys by the time this administration took office. The prior administration reduced the support staff level to two (2) secretaries, which is entirely insufficient to handle the number of matters within the office. The reduction in staffing levels clearly resulted in a significant increase in the number of matters that needed to be sent to outside counsel for handling.

Although this administration has added one (1) attorney to the staff and increased the number of secretarial staff from two (2) to four (4), along with bringing back the Office Manager, there is clearly a need to employ additional attorneys to enable the County Attorney's

Office to handle many of the matters in-house that are currently being handled by outside counsel.

The County of Erie is a New York State municipal corporation with a \$1.7 billion budget which generates a significant amount of legal work. The size of the County Attorney's Office, now and under the prior administration, has resulted in the need to retain outside counsel on a significant number of matters.

a. Additional Demands On The County Attorney's Office

The amount of work required to be performed by the County Attorney's Office has grown substantially in the last few years due to new requirements as well as bringing legal work back in-house that had been handled by outside counsel under the prior administration.

When the one (1) additional attorney was added to the staff in 2012, the County Attorney brought back in-house the mental hygiene matters that had been handled by outside counsel. The County Attorney also assigned the County-wide implementation of the County's HIPAA compliance plan to the additional attorney as well. Additionally, when the current administration came into office in 2012, there was no uniform fully compliant HIPAA policy throughout Erie County government. All departments had their own version of such a policy which deviated from the others and none were compliant with the current status of the law. Accordingly, the County Attorney hired outside counsel to provide guidance and advice on implementing a County-wide policy. The newly hired attorney was assigned as the point person in charge of implementing said policy consistently throughout all County departments as well as providing ongoing training to all departments as well.

The additional new demands on the County Attorney's Office are as follows:

Pistol Permit Revocation Hearings – Erie County had been one of the only counties in the State of New York that did not have its County Attorney's Office handle these types of matters. These matters had been handled directly by the courts in Erie County. Almost two (2) years ago, the County Attorney was contacted by the Court and was informed that the Court would no longer be running hearings on these matters without the County Attorney's involvement, as it was improper for them to do so. Accordingly, the Erie County Attorney's Office now handles these matters. There are two (2) Assistant County Attorneys assigned to handle these matters. We receive approximately thirty (30) to forty (40) files per month. Those files are reviewed and then meetings with the individuals whose permits have been revoked are conducted in order for our office to make a determination on whether the matter needs to go to hearing before the judge. The attorneys are then required to conduct any and all necessary hearings pertaining to same as scheduled by the Court. These new matters have resulted in a significant unanticipated impact on the resources of the County Attorney's Office.

Erie Community College – As of January 1, 2016, the County Attorney's Office took over all legal work generated by the college after the departure of two in-house attorneys that worked at ECC. We are now handling and/or monitoring all litigation generated out of the college as well as all transactional work, employment related matters/litigation, and general daily advice and counseling. This also has resulted in a

tremendous strain on the resources of the County Attorney's Office - - which did not exist under the prior administration.

Buffalo Erie Niagara Land Improvement Corporation (“Landbank”) - The County Attorney's Office is also required to represent and provide legal counsel to the Landbank, an entity that has grown significantly since its inception in 2012. This entity did not exist under the prior administration and therefore required no resources from the County Attorney's Office. The corporation has grown significantly and has acquired approximately one hundred and seventy (170) properties over the last four (4) years. The County Attorney's Office represents the Landbank by providing legal advice on a regular basis and is responsible for handling all property closings. The Landbank currently has an operating budget of \$2.6 million, and that number is expected to grow annually. This additional responsibility has resulted in a significant impact on the resources of the County Attorney's Office as well.

Article 7 Proceedings (Tax Assessment Challenges) – The County Attorney has retained outside counsel to intervene in Article 7 proceedings. Although the County is not a party to these proceedings, it is required to be on notice due to the fact that the outcome of these proceedings impacts County revenues. Although outside counsel is retained to handle these matters, the County Attorney's Office remains heavily involved by assessing which matters to intervene in and reviewing all proposed settlements in conjunction with the Director of Real Property Tax Services for Erie County. The prior administration never intervened in these matters and the results were fiscally catastrophic. Due to the fact that the County was not intervening in

these matters, the various parties to the proceedings (the plaintiff property owner, the defendant towns and school districts) would in effect throw the County “under the bus” by settling these matters on the backs of County taxpayers by agreeing to artificially undervalue the property for prior years, resulting in significant refunds due the plaintiffs from the towns, school districts and County. The parties would then agree that the plaintiffs would waive their rights to recover the refunds from the towns and school districts thereby leaving the County holding the bag. One refund alone resulted in a County payment (i.e. refund) of over \$1 million.

Department of Justice Litigation – The County Attorney’s Office is also handling the continuing monitoring and dealings with the United States Department of Justice pertaining to the Erie County Correctional Facility and the Holding Center with a view toward obtaining substantial compliance pursuant to the Stipulated Order entered into between the parties. This matter is being handled solely in-house.

County Attorney Caseloads – There are a total of approximately nine thousand seven hundred and seventy (9770) open files in the County Attorney’s Office that are being handled in-house. This includes all matters – family court matters, litigation matters, contracts, transactions, etc. They are distributed amongst the thirteen (13) Assistant County Attorneys, as well as the County Attorney himself, as follows:

Kelly Brinkworth (Family Court) – 1,949 Files - Primarily Family Court matters as well as contract and general counsel matters. The activity of Family Court matters are cyclical but remain open. All Family Court Attorneys are in court almost all of the day every day.

Shawn Hennessy (Litigation) – 93 Files – Litigation matters.

Greg Kammer (General Counsel) – 1,868 Files – Transactional and general counsel matters.

Kenneth Kirby (Litigation) – 50 Files – Litigation matters.

Mike Liszewski (Family Court) – 668 Files – Family Court and contract matters.

Amy McCabe (Family Court) – 378 Files – Family Court matters.

Thomas Navarro (Litigation) – 415 Files – Litigation, Pistol Permits and Mental Hygiene matters.

Leslie Ortiz-Fogg (General Counsel) – 139 Files - General Counsel, contracts, and property damage.

Michelle Parker (Litigation and General Counsel) – 239 Files – General Counsel, Litigation and outside counsel matters.

Marty Polowy (General Counsel) – 1,656 Files – General Counsel, contracts, transactional matters.

Michael A. Siragusa (County Attorney) – 148 Files – Administrative matters, outside counsel oversight/liaison, contracts, etc.

Anthony Targia (Litigation) – 100 Files – Litigation matters.

Jeremy Toth (Litigation and General Counsel) – 90 Files – Litigation and general counsel matters.

Kristen Walder (General Counsel) – 1,977 Files – General Counsel and contracts.

As can be seen above, the attorneys in the County Attorney's Office maintain significant caseloads in addition to other transactional and general counsel responsibilities. Additionally, as previously noted above, we have taken on additional responsibilities that did not exist under the prior administration that have significantly impacted the demands of this office. We are handling those additional matters, as well as matters that have been traditionally handled by the County Attorney's Office, with one of the lowest staffing levels in the history of the department.

Accordingly, the Department of Law renews its request and recommendation that additional attorneys be hired to staff the department. Also, the hiring of a paralegal would be beneficial to the office as well, as it would free up attorney time to enable them to work on additional matters.

2. Recommendation – Issuance of RFP’s

As stated in the 2012 Outside Counsel Report, another recommendation made by the County Attorney was to issue an RFP within months of that report in order to obtain more recent rates for legal services to be rendered by the various law firms. That information would enable the County Attorney to have up-to-date information (experience, personnel, fees, etc.) with respect to each responding firm, and enable him to choose the best suited firm to handle a particular matter. Accordingly, this recommendation was enacted by the current County Attorney as he issued subsequent RFP’s at two (2) separate times during his tenure. One was issued in 2012 and another at the end of 2015.

3. Recommendation – Status Reports From Outside Counsel

A third recommendation was to require outside counsel to complete an Initial Status Report in the first 30 days. Then, at the end of 90 days and every 6 months thereafter, require that they complete a case summary form and a budget. The thought was that having this information would help the County Attorney plan for the demands of outside legal fees and expenses going forward, as well as potential settlements and judgments, and their impact upon the Risk Retention Fund.

The First Assistant County Attorney is in regular contact with outside counsel assigned to handle the various matters. Discovery and litigation strategies are discussed as cases progress, as well as the possibilities of settlement. The County Attorney has found that asking for a “budget” from outside counsel does not produce meaningful data for budgetary purposes due to the unpredictability of the way in which cases progress. However, the County Attorney and the First Assistant County Attorney do have regular discussions with outside counsel regarding control of expenditures. We have also required reports from firms that are handling significant/high exposure matters which has worked well. We found that requiring written reports on a regular basis on all matters was not necessary and not cost effective due to the regular communications we have with outside counsel on all cases. We found that it was not cost effective as the level of exposure to the County on some matters was not significant enough to warrant more than the regular status reports and strategy discussions that take place via e-mail and telephonically, as counsel charge fees for the preparation of the often lengthy reports.

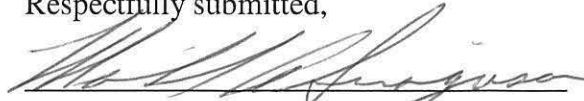
III. CONCLUSION

I submit that the Department of Law has been operated in an efficient manner, as it has been responsible for helping to bring in millions of dollars to the County, well over what it has cost to operate the department. It remains the County Attorney’s opinion that the Department of Law is understaffed as to attorneys and paralegals. The number of cases being handled by the current attorney staffing level is well in excess of where it should be in order for them to effectively and efficiently represent the County’s interests, especially in light of the new responsibilities we have taken on. Increasing the number of attorney positions within the Department of Law and adding a paralegal would result in manageable caseload levels for all attorneys, resulting in more

effective and efficient representation, along with significant financial savings to the County due to the decreased need to employ outside counsel.

Dated: November 16, 2016

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael A. Siragusa", written over a horizontal line.

MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

EXHIBIT A

COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

Matter ID	Client Sort	Caption/Names of Parties	Matter Description	Matter Type	Opened Date	Amount Sought	Firm/Atty	Original Estimate of Legal Fees	Costs Incurred to Date
15-20140008	Erie Community College	ECC-Gas Well (DEC Compliance)	Gas well on ECC south campus. ECC is responsible for making required submissions/filings with the DEC.	General Counsel - General Miscellaneous	10/30/2014	None Specified	Jaeckle Fleischman	None provided	\$ 6,044.26
10-20120012	Erie County Board of Elections	French, Jacqueline v. ECBOE	Action pursuant to Title VII of the Civil Rights Act of 1964 for alleged discrimination/retaliation	Litigation- Civil Rights	10/5/2012	None Specified	Jaeckle Fleischman	None provided	\$ 53,557.00
3-20150030	Erie County Central Police Services	Lazarz, Kristen v. COE	Wrongful Termination	Litigation- Civil Rights	11/18/2015	None Specified	Hurwitz & Fine	None provided	\$ 648.28
3-20140043	Erie County Central Police Services	Intellectual Property - IP Contract Between County of Erie and EM Systems	Assess for IP contract	General Counsel - Investigation	11/3/2014	None Specified	Barclay Damon	None provided	\$ 5,225.50
3-20090016	Erie County Central Police Services	COE V. M/A-Com, Inc. and E.M. Systems, Inc. and Tyco Electronics System and Intergraph Corporation; Kevin Cumerford	Suit to recover alleged overpayment for services	Litigation-Recovery	5/8/2009	\$7 million	Gross Shuman	None provided	\$ 50,698.27
4-20140003	Erie County Comptroller	Personnel Matters	General counsel on personnel matters	General Counsel	4/14/2014	None Specified	Goldberg Segalla	None provided	\$ 9,380.00
4-20140001	Erie County Comptroller	IRS Audit - 2011A RAN	General counsel re: IRS Audit	General Counsel	2/10/2014	None Specified	Harris Beach	None provided	\$ 7,768.79
6-20150006	Erie County Correctional Facility	Koschuk, Peter v. ECSO, COE, Sheriff H. - now in suit	Employee terminated while still on Probation	Litigation - General Miscellaneous	3/25/2015	None Specified	Lippes Mathias	None provided	\$ 267.90
2-20140063	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC, Broadwing Communications, LLC, Global Crossing North America, Inc., and Global Crossing Telecommunications, Inc. v. Joseph L. Maciejewski	Article 78 - Tax Challenge	Litigation - Tax Proceeding	11/14/2014	None Specified	Mosey Persico	None provided	\$ 6,145.08
2-20150035	Erie County Department of Budget, Management & Finance	Trinity Park Housing Development Fund Company, Inc. v. Town of Aurora, Richard L. Dean, Assessor, East Aurora Union Free School District, County of Erie, Erie County Legislature, Joseph Maciejewski	Tax assessment challenge.	Litigation - Tax Proceeding	7/15/2015	None Specified	Lippes Mathias	None provided	\$ 5,252.50
2-20130037	Erie County Department of Budget, Management & Finance	In Rem Proceedings - Outside Counsel	In Rem Proceedings - Outside Counsel	Litigation - Foreclosures	5/23/2013	None Specified	Mosey Persico	None provided	\$ 6,468.30
2-20150031	Erie County Department of Budget, Management & Finance	2015 Article 7s	2015 Article 7s	Litigation - Article 7 Proceedings	6/11/2015	None Specified	Lippes Mathias Bengart DeMarco Feldman Kieffer Thomas E. Webb, Jr.	None provided	\$ 9,152.86
2-20150033	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC v. Joseph L. Maciejewski, as Director of Real Property Tax Services for the County of Erie	Article 78 - Tax Challenge	Litigation - Tax Proceeding	6/29/2015	None Specified	Mosey Persico	None provided	\$ 2,109.25

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COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

2-20150011	Erie County Department of Budget, Management & Finance	Xylem Dewatering Solutions, Inc. d/b/a Godwin Pumps v. Lewis Brothers LLC, E-Com LLC and the County of Erie	This is an action to enforce a mechanic's lien.	Litigation - General Miscellaneous	3/5/2015	None Specified	Mosey Persico	None provided	\$	30.00
2-20140033	Erie County Department of Budget, Management & Finance	2014 Article 7s	2014 Article 7s	Litigation - Tax Proceeding	6/12/2014	None Specified	Lippes Mathias Bengart DeMarco Feldman Kieffer Thomas E. Webb, Jr.	None provided	\$	99,742.28
2-20150032	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC, Broadwing Communications, LLC, Global Crossing North America, Inc., and Global Crossing Telecommunications, Inc. v. Erie County, City of Buffalo, City of Lackawanna, Village of North Collins, City of Lackawanna School District, Eden Central School District, Lake Shore Central School District, and North Collins Central School District	Article 78 - Tax Challenge	Litigation - Tax Proceeding	6/11/2015	None Specified	Lippes Mathias	None provided	\$	1,417.00
2-20130058	Erie County Department of Budget, Management & Finance	Tecumseh Redevelopment Inc. v. City of Lackawanna	Tax assessment challenge.	Litigation - Tax Proceeding	7/10/2013	None Specified	Hodgson Russ	None provided	\$	50,097.28
2-20150053	Erie County Department of Budget, Management & Finance	Judicial foreclosures	Foreclosures	Foreclosures	11/1/2015	None Specified	Lippes Mathias	None provided	\$	4,480.13
2-20140034	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC and Broadwing Communications, LLC v. Erie County, City of Buffalo, City of Lackawanna, Village of North Collins, City of Lackawanna School District, Eden Central School District,	Article 78 re: denial of real property tax refunds	Litigation - Tax Proceeding	6/12/2014	None Specified	Lippes Mathias	None provided	\$	60,829.78
2-20140017	Erie County Department of Budget, Management & Finance	Town of Amherst v. Brewster Mews Housing Co., Inc., Brewster Mews Associates, L.P., Williamsville Central School District and County of Erie	Lawsuit to obtain recovery of tax abatement	Litigation - Tax Proceeding	4/4/2014	None Specified	Bengart DeMarco	None provided	\$	21,015.50
2-20110025	Erie County Department of Budget, Management & Finance	Great Lakes Industrial Development, LLC v. County of Erie, et al.	To annul City of Lackawanna's tax assessment	Litigation - Tax Proceeding	6/8/2011	None Specified	Hodgson Russ	None provided	\$	11,354.50
2-20140024	Erie County Department of Budget, Management & Finance	Niagara Wind Power, LLC and Erie Wind, LLC v. County of Erie, et al.	Sewer District Assessments	Litigation - Tax Proceeding	4/14/2014	None Specified	Hodgson Russ	None provided	\$	98.80
2-20130062	Erie County Department of Budget, Management & Finance	In Rem No. 162 (2014)	2014 foreclosures	Foreclosures	8/15/2013	None Specified	Mosey Persico	None provided	\$	2,283.80
12-19960992	Erie County Department of Environment & Planning	County of Erie v. Estelle T. Zoladz, Victor F. Zoladz, Aloysius S. Zoladz, Louise M. Hacker and Stasia T. Vogel	EDPL Article 5 claim for just compensation	County acquired permanent easement for sewer system using its power of eminent domain. Property owners sued for just compensation in addition to County's advanced payment.	3/23/2002	Total damages of \$432,000.00 less the County's advance payment of \$52,000.00	Hiscock Barclay	None provided	\$	9,361.22

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COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

12-20080019	Erie County Department of Environment & Planning	Village of Depew Landfill - NYSDEC Site # 915105	Environmental/Super Fund	Erie County Sewer District #4 has been identified by the NYS DEC as a potentially responsible party ("PRP") for environmental remediation costs at the site of the former Depew Landfill where the Sewer District currently owns and operates a permitted overflow retention facility ("ORF")	2/23/2008	All or portion of remediation costs currently estimated to be approximately \$2.3M	Webster Szanyi	\$6,000-\$8,000	\$	6,051.80
12-20140092	Erie County Department of Environment & Planning	Yager, Clare v. Erie County Department of Environment & Planning	EEOC Charge of Discrimination	Litigation - Civil Rights	4/14/2014	None Specified	Kavinoky Cook Hurwitz & Fine	None provided	\$	17,130.75
24-20110005	Erie County Department of Mental Health	2011 General Matters File	Mental Health Litigation	General Counsel	1/11/2011	None Specified	Bouvier Partnership	None provided	\$	21,375.40
28-20080007	Erie County Department of Public Works	US EPA v. Underground Storage Tanks	General Counsel	US Environmental Protection Agency on underground storage tanks.	3/11/2008	None Specified	Underberg & Kessler	None provided	\$	27,117.05
28-20100094	Erie County Department of Public Works	Carlone, Dorothy A. and Carlone, John M. v County of Erie (cord)	slip/fall at Family Court 5/26/10 - left ankle and right knee	Litigation - Personal Injury	8/25/2010	None Specified	Kavinoky Cook	None provided	\$	26,339.64
28-20060017	Erie County Department of Public Works	Carlone, Dorothy Ann and John M. vs County of Erie (rugs)	slip and fall at the Family Court Building 6/27/06 - left	Litigation - Personal Injury	9/22/2006	None Specified	Kavinoky Cook	None provided	\$	36,972.61
32-20150002	Erie County Department of Social Services	Margerum, Michael v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$	6,980.50
32-20150033	Erie County Department of Social Services	Jarzembek, Joseph v. County of Erie - DSS - DHR Complaint	Employee asserts age discrimination	Litigation - Civil Rights	10/20/2015	None Specified	Hurwitz & Fine	None provided	\$	8,779.14
32-20150041	Erie County Department of Social Services	Sikorski-Petritz, Darlene v. County of Erie	Article 78 re: employee's demotion	Litigation - Labor & Employment	12/22/2015	None Specified	Hurwitz & Fine	None provided	\$	735.96
32-20150034	Erie County Department of Social Services	Consulting/Training Services	DSS - Howard Frank	General Counsel	10/28/2015	None Specified	Mosey Associates	None provided	\$	4,845.50
32-20150006	Erie County Department of Social Services	DiBenedetto-Hughes, Patricia v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$	1,436.75
32-20100029	Erie County Department of Social Services	County of Erie v. Gateway-Longview, Philadelphia Insurance and Specialty National Insurance	Delaratory Judgment Coverage	Litigation - Employment Termination	5/19/2010	None Specified	Feldman Kieffer	None provided	\$	14,903.32
32-20150003	Erie County Department of Social Services	Sankey, Lisa v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$	1,150.00
32-20030011	Erie County Department of Social Services	Patterson, Terrance (by png) vs County of Erie et al	Alleged negligent foster placement	Litigation - Personal Injury	10/31/2003	None Specified	Feldman Kieffer	None provided	\$	90,062.07
9-20110021	Erie County District Attorney's Office	Peters, Lynn f/k/a Lynn DeJac vs City of Buffalo, Buffalo Police Dept., County of Erie, Joseph Marusak, Frank J. Clark, III, et al.	Wrongful incarceration	Litigation - Civil Rights	2/1/2011	None Specified	Gross Shuman Connors & Vilardo Hurwitz & Fine	None provided	\$	363,175.72
11-20140015	Erie County Emergency Services	2014 Winter Storm Knife (FEMA)	Emergency Orders	General Counsel	12/9/2014	None Specified	Hodgson Russ	None provided	\$	6,807.80

COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

13-20150098	Erie County Highway Department	Zawodzinski, Gary v. County of Erie, Mark Poloncarz, Erie County Executive, and John Loffredo, Erie County Department of Public Works Commissioner	Lawsuit re: wrongful termination	Litigation - Civil Rights	6/17/2015	None Specified	Kavinoky Cook	None provided	\$ 9,004.66
21-20120027	Erie County Law Department	County of Erie v. NYS Department of Health and Hon. Howard A. Zucker, M.D., J.D., as Acting Commissioner of Health of the State of New York	Action to anul Medicaid upper limit	Litigation - Recovery	6/19/2012	\$5.4 million	Barclay Damon	None provided	\$ 59,834.80
21-20120016	Erie County Law Department	2012 Buffalo Bills Lease Negotiations	2012 Buffalo Bills Lease Negotiations	General Counsel	3/16/2012	None Specified	Nixon Peabody	None provided	\$ 364,171.64
21-20150016	Erie County Law Department	General Litigation Matters	Litigation	Litigation - all areas	2/26/2015	None Specified	Hodgson Russ	None provided	\$ 103,836.88
21-20150003	Erie County Law Department	General Employee and Personnel Matters	General Employee and Personnel Matters	General Counsel	1/5/2015	None Specified	Goldberg Segalla	None provided	\$ 1,480.00
21-20140026	Erie County Law Department	Personnel Matters	Various personnel matters	General Counsel	7/22/2014	None Specified	Mosey Persico	None provided	\$ 9,837.87
21-20140028	Erie County Law Department	Land Disposition, Use, Taxation and Leasing	Various issues	General Counsel	7/22/2014	None Specified	Lippes Mathias	None provided	\$ 43,996.92
21-20120023	Erie County Law Department	HIPAA Policies	HIPAA Policies	General Counsel	4/25/2012	None Specified	Magavern, Magavern & Grimm	None provided	\$ 105,370.00
21-20140010	Erie County Law Department	General Business Matters	General Business Matters	General Counsel	2/20/2014	None Specified	Kavinoky Cook	None provided	\$ 16,774.24
21-20150008	Erie County Law Department	General Municipal Law Matters	Municipal Law	General Counsel	1/14/2015	None Specified	Hodgson Russ	None provided	\$ 25,763.60
21-20150013	Erie County Law Department	General Municipal Matters	General Municipal Law Matters	General Counsel	2/11/2015	None Specified	Barclay Damon	None provided	\$ 1,128.80
21-20150020	Erie County Law Department	General Business Matters	Business Matters	General Counsel	3/18/2015	None Specified	Lippes Mathias	None provided	\$ 14,397.66
21-20090037	Erie County Law Department	In Rem Foreclosure Services	In Rem foreclosures of Erie County tax liens	Foreclosures	6/17/2009	None Specified	Mosey Persico	None provided	\$ 2,380,162.00
22-20150006	Erie County Legislature	Sheridan Park, Inc. and Amigone Funeral Home, Inc. v. Erie County Legislature and County of Erie	Challenge to Legislative resolution re: cemetary land	Litigation - Declaratory Judgment Action	2/12/2015	None Specified	Hurwitz & Fine Mosey Persico	None provided	\$ 29,505.21
16-20080014	Erie County Medical Center	ECMCC and County of Erie Defeasance & Litigation	General Matters	General Counsel	7/2/2008	None Specified	Damon & Morey	None provided	\$ 16,028.00
24-20110005	Erie County Mental Health	2011 General	Kendra's Law	Litigation - Mental Health	1/11/2011	None Specified	Bouvier Partnership	None provided	\$ 21,375.40

COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

25-20120007	Erie County Parks, Recreation & Forestry	Batch, Joanne as Parent and Guardian of Fleming, an Infant and Fleming, Brittany v. City of Buffalo, City of Buffalo, Department of Public Works, Parks and Streets	Injury on stairs at park	Litigation - Personal Injury	4/27/2012	None Specified	Housh Law Office	None provided	\$	3,154.30
25-20090018	Erie County Parks, Recreation & Forestry	Slawek, Timothy v. Erie County Parks Department	Alleged disability discrimination and failure to accommodate	Litigation - Civil Rights	6/26/2009	None Specified	Kenney Shelton	None provided	\$	19,526.32
25-20140015	Erie County Parks, Recreation & Forestry	Peterson, Mark v. County of Erie and Erie County Department of Parks, Recreation & Forestry	Premises Liability	Litigation - Personal Injury	4/29/2014	None Specified	Feldman Kieffer	None provided	\$	10,259.00
26-20130009	Erie County Personnel Department	Erie County Medical Center Corporation v. County of Erie	OTSC to prohibit COE from administering four Civil Service Examinations	Litigation - Employment	12/5/2013	None Specified	Hurwitz & Fine	None provided	\$	6,034.85
26-20140007	Erie County Personnel Department	Erie County Medical Center Corporation v. County of Erie and John Greenan	OTSC to restrain the COE from conducting two civil service exams	Litigation - Employment	12/10/2014	None Specified	Hurwitz & Fine	None provided	\$	245.16
31-20140006	Erie County Sheriff's Department	Norton, Carl E., Sr. v. County of Erie, et al.	Section 1983 - 8th Amendment - deliberate indifference matter	Litigation - Civil Rights	1/30/2014	None Specified	Mosey Persico Lippes Mathias	None provided	\$	59,077.97
31-20100022	Erie County Sheriff's Department	Nye, Daniel, Estate of by Stephanie Nye, individually and as Administratrix vs County of Erie	alleged wrongful death	Litigation - Wrongful Death	2/26/2010	None Specified	Mosey Persico Lippes Mathias	None provided	\$	6,531.35
31-20150054	Erie County Sheriff's Department	Erie County Sheriff's PBA v. Erie County Sheriff's Office re 2015-07 - Scientific Reserves - Relay for Life	Demand for Arbitration regarding the Sheriff's reliance upon Scientific Reserve deputies	Litigation - Employment	8/6/2015	None Specified	Kavinoky Cook	None provided	\$	563.75
31-20120073	Erie County Sheriff's Department	Glenn, David by William Gillison as p/a v. County of Erie and Erie County Sheriff's Department	Alleged negligent supervision and care	Litigation - Negligence	10/15/2012	None Specified	Feldman Kieffer	None provided	\$	4,222.50
31-20120074	Erie County Sheriff's Department	Wierzbic, Raymond, Brian, Angelene & Bernice v. County of Erie	Claim for battery, false arrest, unlawful imprisonment	Litigation - Civil Rights	10/15/2012	None Specified	Mosey Persico Lippes Mathias	None provided	\$	28,042.51
31-20100017	Erie County Sheriff's Department	Lomasney, Paul M. v Amy L. Klimowicz, Jeffrey Hicks, James Hatch, individually and in their official capacity as a Erie County Deputy Sheriff	Alleged false arrest and malicious prosecution on domestic dispute	Litigation - Civil Rights	2/11/2010	None Specified	Kavinoky Cook	None provided	\$	37,181.40
31-20130015	Erie County Sheriff's Department	Metcalf, Richard, Estate of, v. County of Erie, Erie County Sheriff's Department, Village of Depew and Village of Depew Police Department	alleged wrongful death	Litigation - Wrongful Death	2/26/2013	None Specified	Lippes Mathias	None provided	\$	14,573.36
31-20150053	Erie County Sheriff's Department	Erie County Sheriff's PBA v. Erie County Sheriff's Office re 2015-08 and -12 - Eternal Flame - Mounted Reserves	Demand for Arbitration regarding the Sheriff's reliance upon Mounted Reserve deputies	Litigation - Employment/Labor	8/6/2015	None Specified	Kavinoky Cook	None provided	\$	247.50

COUNTY ATTORNEY'S OFFICE
1/1/2012-12/31/2015 OUTSIDE COUNSEL REPORT - OPEN MATTERS

31-20040044	Erie County Sheriff's Department	Adam Pritchard, Edward Robinson and Julenne Tucker v. The County of Erie, Patrick M. Gallivan, Timothy Howard, Donald Livingston, Robert G. Huggins and H. McCarthy Gibson	Civil rights claim brought on behalf of class of misdemeanor and violator arrestees based on alleged violation of rights relating to strip searches	Litigation - Civil Rights	7/27/2004	Compensatory damages to plaintiffs and members of class, punitive damages, declaratory judgment, permanent	Hiscock Barclay Mattar D'Agostino	None provided	\$	27,178.24
31-20070052	Erie County Sheriff's Department	United States of America v. The County of Erie	Alleged Civil Rights violations at Holding Center (DOJ Litigation)	Civil rights	11/13/2007	None Specified	Hiscock Barclay	None provided	\$	10,207.26
31-20100063	Erie County Sheriff's Department	Kretzman, Jacqueline v. Erie County Sheriff's Office	Retaliation/Harassment	Litigation - Employment/Labor	8/25/2010	Monetary Damages	Goldberg Segalla Webster Szanvi	\$70,000.00	\$	68,426.57
31-20090009	Erie County Sheriff's Department	Smith, William vs Michael A. Benson, Superintendent, Lt. Leary, Dr. William Belles of ECMC, EC Holding Center, Captain Bienko and Sergeant Gaimes	Alleged inadequate medical treatment	Litigation - Civil Rights	2/3/2009	None Specified	Mosey Persico Lippes Mathias	None provided	\$	16,368.75
31-20140072	Erie County Sheriff's Department	Montalvo, Misael v. Commissioner of Corrections, Sheriff Howard, Undersheriff Mark Wipperman, County of Erie, et al.	Civil rights re: diabetic dietary requirements	Litigation - Civil Rights	10/31/2014	None Specified	Alisa Lukasiewicz	None provided	\$	20,389.65
31-20150068	Erie County Sheriff's Department	Jarzembek, Joseph v. County of Erie - ECSO - NOC	Alleged wrongful questioning	Litigation - Civil Rights	10/21/2015	None Specified	Hurwitz & Fine	None provided	\$	1,412.32
35-20100002	Erie County Youth Services Department	Grant, Linda v. Erie County Youth Detention Services	Alleged disability and age discrimination	Litigation - Civil Rights	6/15/2010	Reinstatement and unspecified money damages	Kenney Shelton Phillips Lytle Alisa Lukasciewicz	None provided	\$	150,219.71
									\$	4,743,822.44
2012-2015 Outside Counsel List & Disbursements 11102016										

EXHIBIT B

COUNTY ATTORNEY'S OFFICE
1/1/2016-6/30/2016 OUTSIDE COUNSEL REPORT - OPEN MATTERS

Matter ID	Client Sort	Caption/Names of Parties	Matter Description	Matter Type	Opened Date	Amount Sought	Firm/Atty	Original Estimate of Legal Fees	Costs Incurred to Date
3-20150030	Erie County Central Police Services	Lazarz, Kristen v. COE	Wrongful Termination	Litigation- Civil Rights	11/18/2015	None Specified	Hurwitz & Fine	None provided	\$ 4,642.88
3-20090016	Erie County Central Police Services	COE V. M/A-Com, Inc. and E.M. Systems, Inc. and Tyco Electronics System and Intergraph Corporation; Kevin Cumerford	Suit to recover alleged overpayment for services	Litigation-Recovery	5/8/2009	\$7 million	Gross Shuman	None provided	\$ 382.50
4-20160002	Erie County Comptroller	Buffalo Urban League v. COE and Stefan Mychajliw, Individually and as Comptroller	Claimant brings this Notice of Claim alleging they will file an Article 78 to challenge the Comptroller's report and alleging defamation.	Litigation-General Miscellaneous	3/11/2016	None Specified	Barclay Damon	None provided	\$ 50,858.40
6-20150006	Erie County Correctional Facility	Koschuk, Peter v. ECSO, COE, Sheriff H. - now in suit	Employee terminated while still on Probation	Litigation - General Miscellaneous	3/25/2015	None Specified	Lippes Mathias	None provided	\$ 11,065.00
6-20160006	Erie County Correctional Facility	Teamsters Local 264, Brian Dickamn, Pres. v. ECSO - PERB Action	PERB application for injunctive relief	Litigation - Employment Labor	2/22/2016	None Specified	Kavinoky Cook	None provided	\$ 3,625.39
2-20150035	Erie County Department of Budget, Management & Finance	Trinity Park Housing Development Fund Company, Inc. v. Town of Aurora, Richard L. Dean, Assessor, East Aurora Union Free School District, County of Erie, Erie County Legislature, Joseph Maciejewski	Tax assessment challenge.	Litigation - Tax Proceeding	7/15/2015	None Specified	Lippes Mathias	None provided	\$ 4,671.50
2-20150031	Erie County Department of Budget, Management & Finance	2015 Article 7s	2015 Article 7s	Litigation - Article 7 Proceedings	6/11/2015	None Specified	Lippes Mathias Bengart DeMarco Feldman Kieffer Thomas F. Webb, Jr.	None provided	\$ 54,274.01
2-20150032	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC, Broadwing Communications, LLC, Global Crossing North America, Inc., and Global Crossing Telecommunications, Inc. v. Erie County, City of Buffalo, City of Lackawanna, Village of North Collins, City of Lackawanna School District, Eden Central School District, Lake Shore Central School District, and North Collins Central School District	Article 78 - Tax Challenge	Litigation - Tax Proceeding	6/11/2015	None Specified	Lippes Mathias	None provided	\$ 720.00
2-20150053	Erie County Department of Budget, Management & Finance	Judicial foreclosures	Foreclosures	Litigation - Foreclosures	11/1/2015	None Specified	Lippes Mathias	None provided	\$ 11,572.15
2-20140034	Erie County Department of Budget, Management & Finance	Level 3 Communications, LLC and Broadwing Communications, LLC v. Erie County, City of Buffalo, City of Lackawanna, Village of North Collins, City of Lackawanna School District, Eden Central School District,	Article 78 re: denial of real property tax refunds	Litigation - Tax Proceeding	6/12/2014	None Specified	Lippes Mathias	None provided	\$ 7,940.00
2-20110025	Erie County Department of Budget, Management & Finance	Great Lakes Industrial Development, LLC v. County of Erie, et al.	To annul City of Lackawanna's tax assessment	Litigation - Tax Proceeding	6/8/2011	None Specified	Hodgson Russ	None provided	\$ 1,407.90

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COUNTY ATTORNEY'S OFFICE
1/1/2016-6/30/2016 OUTSIDE COUNSEL REPORT - OPEN MATTERS

12-20140092	Erie County Department of Environment & Planning	Yager, Clare v. Erie County Department of Environment & Planning	EEOC Charge of Discrimination	Litigation - Civil Rights	4/14/2014	None Specified	Kavinoky Cook Hurwitz & Fine	None provided	\$ 1,057.50
28-20100094	Erie County Department of Public Works	Carlone, Dorothy A. and Carlone, John M. v County of Erie (cord)	slip/fall at Family Court 5/26/10 left ankle and right knee	Litigation - Personal Injury	8/25/2010	None Specified	Kavinoky Cook	None provided	\$ 918.00
28-20060017	Erie County Department of Public Works	Carlone, Dorothy Ann and John M. vs County of Erie (rugs)	slip and fall at the Family Court Building 6/27/06 - left	Litigation - Personal Injury	9/22/2006	None Specified	Kavinoky Cook	None provided	\$ 12,722.00
32-20150002	Erie County Department of Social Services	Margerum, Michael v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$ 150.00
32-20150033	Erie County Department of Social Services	Jarzembek, Joseph v. County of Erie - DSS - DHR Complaint	Employee asserts age discrimination	Litigation - Civil Rights	10/20/2015	None Specified	Hurwitz & Fine	None provided	\$ 7,463.54
32-20150041	Erie County Department of Social Services	Sikorski-Petritz, Darlene v. County of Erie	Article 78 re: employee's demotion	Litigation - Labor & Employment	12/22/2015	None Specified	Hurwitz & Fine	None provided	\$ 35,341.62
32-20150004	Erie County Department of Social Services	McGee, Danevia v. Erie County Department of Social Services	Termination of CSEA member's employment	Litigation - Employment Termination	1/29/2016	None Specified	Bond, Schoeneck & King	None provided	\$ 4,050.00
32-20150034	Erie County Department of Social Services	Consulting/Training Services	DSS - Howard Frank	General Counsel	10/28/2015	None Specified	Mosey Associates	None provided	\$ 3,952.50
32-20150006	Erie County Department of Social Services	DiBenedetto-Hughes, Patricia v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$ 7,609.10
32-20150005	Erie County Department of Social Services	Mang, Stephanie v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$ 1,700.00
32-20150003	Erie County Department of Social Services	Sankey, Lisa v. Erie County Department of Social Services	Arbitration re: termination of CSEA member's employment	Litigation - Employment Termination	1/29/2015	None Specified	Bond, Schoeneck & King	None provided	\$ 250.00
32-20030011	Erie County Department of Social Services	Patterson, Terrance (by png) vs County of Erie et al	Alleged negligent foster placement	Litigation - Personal Injury	10/31/2003	None Specified	Feldman Kieffer	None provided	\$ 54,758.58
32-20160012	Erie County Department of Social Services	Ufland, Denise v. County of Erie - DSS - alleged disability discrimination and wrongful termination	Alleged wrongful termination disability discrimination.	Litigation - Civil Rights	5/13/2016	None Specified	Hurwitz & Fine	None provided	\$ 8,728.67
13-20150098	Erie County Highway Department	Zawodzinski, Gary v. County of Erie, Mark Poloncarz, Erie County Executive, and John Loffredo, Erie County Department of Public Works Commissioner	Lawsuit re: wrongful termination	Litigation - Civil Rights	6/17/2015	None Specified	Kavinoky Cook	None provided	\$ 2,614.75
21-20150016	Erie County Law Department	General Litigation Matters	Litigation	Litigation - all areas	2/26/2015	None Specified	Hodgson Russ	None provided	\$ 20,537.32
21-20150003	Erie County Law Department	General Employee and Personnel Matters	General Employee and Personnel Matters	General Counsel	1/5/2015	None Specified	Goldberg Segalla	None provided	\$ 2,720.00
21-20160018	Erie County Law Department	General Labor Matters	General Labor Matters	General Counsel	3/18/2016	None Specified	Bond Schoeneck & King	None provided	\$ 300.00

COUNTY ATTORNEY'S OFFICE
1/1/2016-6/30/2016 OUTSIDE COUNSEL REPORT - OPEN MATTERS

21-20140028	Erie County Law Department	Land Disposition, Use, Taxation and Leasing	Various issues	General Counsel	7/22/2014	None Specified	Lippes Mathias	None provided	\$	12,300.00
21-20120023	Erie County Law Department	HIPAA Policies	HIPAA Policies	General Counsel	4/25/2012	None Specified	Magavern, Magavern & Grimm	None provided	\$	6,630.00
21-20140010	Erie County Law Department	General Business Matters	General Business Matters	General Counsel	2/20/2014	None Specified	Kavinoky Cook	None provided	\$	17,800.00
21-20150008	Erie County Law Department	General Municipal Law Matters	Municipal Law	General Counsel	1/14/2015	None Specified	Hodgson Russ	None provided	\$	15,362.39
21-20150020	Erie County Law Department	General Business Matters	Business Matters	General Counsel	3/18/2015	None Specified	Lippes Mathias	None provided	\$	4,296.00
21-20090037	Erie County Law Department	In Rem Foreclosure Services	In Rem foreclosures of Erie County tax liens	Litigation - Foreclosures	6/17/2009	None Specified	Mosey Persico	None provided	\$	1,150,000.00
16-20160002	Erie County Medical Center	ECMC Business Matters	Transactional Issues	General Counsel	1/13/2016	None Specified	Dentons US LLP	None provided	\$	70,000.00
25-20140015	Erie County Parks, Recreation & Forestry	Peterson, Mark v. County of Erie and Erie County Department of Parks, Recreation & Forestry	Premises Liability	Litigation - Personal Injury	4/29/2014	None Specified	Feldman Kieffer	None provided	\$	8,322.96
26-20130009	Erie County Personnel Department	Erie County Medical Center Corporation v. County of Erie	OTSC to prohibit COE from administering four Civil Service Examinations	Litigation - Employment	12/5/2013	None Specified	Hurwitz & Fine	None provided	\$	46.31
31-20140006	Erie County Sheriff's Department	Norton, Carl E., Sr. v. County of Erie, et al.	Section 1983 - 8th Amendment - deliberate indifference matter	Litigation - Civil Rights	1/30/2014	None Specified	Mosey Persico Lippes Mathias	None provided	\$	1,484.70
31-20160011	Erie County Sheriff's Department	Rozansky -- Erie County Sheriff's PBA v. Sheriff Howard, County of Erie and Alan Rozansky	Declaratory Judgment action re: interpretation of the Teamster CBA	Litigation - Employment	2/17/2016	None Specified	Barclay Damon	None provided	\$	19,745.50
31-20100022	Erie County Sheriff's Department	Nye, Daniel, Estate of by Stephanie Nye, individually and as Administratrix vs County of Erie	alleged wrongful death	Litigation - Wrongful Death	2/26/2010	None Specified	Mosey Persico Lippes Mathias	None provided	\$	60.00
31-20150054	Erie County Sheriff's Department	Erie County Sheriff's PBA v. Erie County Sheriff's Office re 2015-07 - Scientific Reserves - Relay for Life	Demand for Arbitration regarding the Sheriff's reliance upon Scientific Reserve deputies	Litigation - Employment	8/6/2015	None Specified	Kavinoky Cook	None provided	\$	56.25
31-20120073	Erie County Sheriff's Department	Glenn, David by William Gillison as p/a v. County of Erie and Erie County Sheriff's Department	Alleged negligent supervision and care	Litigation - Negligence	10/15/2012	None Specified	Feldman Kieffer	None provided	\$	208.00
31-20120074	Erie County Sheriff's Department	Wierzbic, Raymond, Brian, Angelene & Bernice v. County of Erie	Claim for battery, false arrest, unlawful imprisonment	Litigation - Civil Rights	10/15/2012	None Specified	Mosey Persico Lippes Mathias	None provided	\$	5,291.50
31-20130015	Erie County Sheriff's Department	Metcalf, Richard, Estate of, v. County of Erie, Erie County Sheriff's Department, Village of Depew and Village of Depew Police Department	alleged wrongful death	Litigation - Wrongful Death	2/26/2013	None Specified	Lippes Mathias	None provided	\$	74,577.61

COUNTY ATTORNEY'S OFFICE
1/1/2016-6/30/2016 OUTSIDE COUNSEL REPORT - OPEN MATTERS

31-20090009	Erie County Sheriff's Department	Smith, William vs Michael A. Benson, Superintendent, Lt. Leary, Dr. William Belles of ECMC, EC Holding Center, Captain Bienko and Sergeant Gaimas	Alleged inadequate medical treatment	Litigation - Civil Rights	2/3/2009	None Specified	Mosey Persico Lippes Mathias	None provided	\$ 4,523.00
31-20140072	Erie County Sheriff's Department	Montalvo, Misael v. Commissioner of Corrections, Sheriff Howard, Undersheriff Mark Wippenman, County of Erie et al	Civil rights re: diabetic dietary requirements	Litigation - Civil Rights	10/31/2014	None Specified	Alisa Lukasiewicz	None provided	\$ 7,310.00
31-20150068	Erie County Sheriff's Department	Jarzembek, Joseph v. County of Erie - ECSO - NOC	Alleged wrongful questioning	Litigation - Civil Rights	10/21/2015	None Specified	Hurwitz & Fine	None provided	\$ 3,298.29
									\$ 1,717,345.82
2016 First Half & Disbursements 11102016									

EXHIBIT C

COUNTY ATTORNEY'S OFFICE
2012-2016 OUTSIDE COUNSEL FEES - CLOSED MATTERS

Matter ID	Client Sort	Caption/Names of Parties	Matter Description	Matter Type	Opened/Closed Dates	Relief Sought	Firm/Atty	Original estimate of the legal fees	Amount of legal fees to conclusion
15-20100069	Erie Community College	Kao, Li-Wei vs. Erie Community College	Employment Claim	Litigation	7/22/2010; 4/14/2016	None Specified	Barclay Damon	None Provided	\$64,761.10
15-20130001	Erie Community College	Frontier Chemical Superfund Site	Superfund site involving Erie Community College	Litigation	11/18/2010; 7/15/2013	None Specified	Underberg & Kessler	None Provided	\$5,411.85
10-20090024	Erie County Board of Elections	County of Erie v. CSEA	Action to stay arbitration	Litigation	11/18/2009; 3/19/2013	None Specified	Kavinoky Cook	None Provided	\$14,513.83
10-20120013	Erie County Board of Elections	Max, Frank C., Jr. v. Dennis Ward and Ralph Mohr, et al.	Election law proceeding	Litigation	10/12/2012; 12/4/2013	None Specified	Hurwitz & Fine	None Provided	\$46,162.84
10-20130003	Erie County Board of Elections	Classification of County Election Workers	Employment action	Litigation	3/7/2013; 4/20/2015	None Specified	Alisa A. Lukasiewicz, Esq.	None Provided	\$12,724.00
10-20130001	Erie County Board of Elections	Max, Jr., Frank C., McParlane, Daniel S. & Fracos, John F. v. COE, Erie County Board of Elections, Dennis Ward & Ralph Mohr	Election Law proceeding	Litigation	1/2/2013; 12/10/2013	None Specified	Hurwitz & Fine	None Provided	\$805.20
10-20100033	Erie County Board of Elections	Sawma, Martin J. v Chris Collins, As County Executive	FOIL Action	Litigation	8/11/2010; 6/1/2012	None Specified	Lippes Mathias	None Provided	\$8,964.19
3-20110008	Erie County Central Police Services	Olma, Gregory B. vs. Chris Collins, Ind. and as Erie Co. Exec., Christopher M. Grant, Ind. and as employee of Erie County, John Greenan, Ind. and as Personnel Comm., Gregory Skibitsky, Ind. as Comm of Erie Co. DES and the County of Erie	Employment claim	Litigation	5/13/2011; 8/3/2015	None Specified	Phyllips Lytle	None Provided	\$84,129.10
7-20120001	Erie County Clerk's Office	Connolly, Albert J. vs. Fulwiler, Patricia L., et al.	Challenge to filing of judgment	Litigation	1/17/2012; 8/8/2014	None Specified	Levy & Pruett	None Provided	\$1,560.30
6-20100001	Erie County Correctional Facility	Ivey, Quandrell v Erie County, and Timothy B. Howard, Erie County Sheriff	Alleged medical malpractice	Litigation	1/4/2010; 7/31/2014	None Specified	Hiscock Barclay	None Provided	\$117,950.02
6-20100030	Erie County Correctional Facility	Kluczynski, Christine v. Erie County Sheriff's Department	Employment action	Litigation	4/14/2010; 4/27/2015	None Specified	Goldberg Segalla	None Provided	\$1,820.00
2-20130023	Erie County Department of Budget, Management & Finance	2013 Article 7s	Tax Certiorari matters (2013)	Litigation	4/17/2013; 1/19/2016	None Specified	Bengart DeMarco Thomas E. Webb, Jr. Mosey Persico	None Provided	\$196,865.68
2-20140046	Erie County Department of Budget, Management & Finance	Erie Wind, LLC v. Assessor for the Town of Hamburg, the Board of Assessment Review for the Town of Hamburg and the Town of Hamburg	Tax assessment challenge	Litigation	8/21/2014; 1/21/2016	None Specified	Hodgson, Russ	None Provided	\$2,223.00

COUNTY ATTORNEY'S OFFICE
2012-2016 OUTSIDE COUNSEL FEES - CLOSED MATTERS

2-20130070	Erie County Department of Budget, Management & Finance	Opinion: Employer Contribution Stabilization Programs	Opinion	Administrative	9/9/2013; 5/1/2015	None Specified	Harris Beach	None Provided	\$9,095.98
2-20130004	Erie County Department of Budget, Management & Finance	2013 Budget Issues	2013 budget issues	Administrative	1/9/2013; 3/19/2013	None Specified	Magavern Magavern	None Provided	\$2,800.00
2-20140015	Erie County Department of Budget, Management & Finance	300 Commerce Drive, Lackawanna, New York (Krog)	Tax lien foreclosure	Litigation	4/1/2014; 8/4/2015	None Specified	Mosey Persico	None Provided	\$2,023.50
2-20140008	Erie County Department of Budget, Management & Finance	Erie County Property Tax Bill	Property tax issue	Administrative	1/29/14; 5/1/2015	None Specified	Harris Beach	None Provided	\$6,678.50
28-20070050	Erie County Department of Public Works	Seneca St. Bridge, West Seneca	Seneca St. Bridge, West Seneca	General Counsel	9/18/2007; 12/18/2014	None Specified	Hiscock Barclay	None Provided	\$4,980.26
32-20110019	Erie County Social Services	Heath, Julia M. v. Erie County Department of Social Services	Employment claim	Litigation	12/1/2011; 6/10/2014	None Specified	Goldberg Segalla	None Provided	\$1,400.00
32-20110016	Erie County Social Services	Watson, Steven K. vs. County of Erie	Employment claim	Litigation	9/15/2011; 6/4/2012	None Specified	Goldberg Segalla	None Provided	\$4,777.42
9-20090011	Erie County District Attorney	Sacha, Mark v. Frank A. Sedita, III and Erie County District Attorney's Office	Employment claim	Litigation	10/5/2009; 3/17/2015	None Specified	Hodgson Russ	None Provided	\$178,447.57
9-20050006	Erie County District Attorney	Braxton, Clifford, Sr. v. Erie County District Attorney's Office	Employment Claim	Litigation	1/3/2006; 6/1/2012	None Specified	Phyllips Lytle	None Provided	\$29,746.99
14-20130002	Erie County Equal Employment	Advisory Opinion re: EEO Post Investigation Procedures	Advisory opinion	Investigation	3/6/2013; 4/20/2015	None Specified	Phyllips Lytle	None Provided	\$750.00
1-20100013	Erie County Executive	Poloncarz, Mark C. Individually and as County Comptroller of Erie County v Christopher C. Collins and The Erie County Legislature, Kozub, Kennedy, Miller-Williams, Walter, Fudoli, Whyte, Grant, Mazur, Bove, Hardwick, Marinelli, Dison, Mills, Loughran, Rath III, and Gregory C. Gach, COE	Challenging County Executive's 2011 Budget	Litigation	11/15/2010; 6/25/2012	None Specified	Jerome Schad and Harris Beach	None Provided	\$16,312.33
1-20100015	Erie County Executive	Whyte, Maria, Thomas Mazur, Thomas Loughran & Lynn Marinelli v. Chris Collins, et al (Article 78)	Article 78 re: County Legislature and Executive action re: budget	Litigation	12/15/2010; 6/19/2012	None Specified	Harris Beach	None Provided	\$311.87

COUNTY ATTORNEY'S OFFICE
2012-2016 OUTSIDE COUNSEL FEES - CLOSED MATTERS

17-20090002	Erie County Health Department	Flight 3407	Action to recover extraordinary expenses	Litigation	2/17/2009; 5/20/2014	None Specified	Duggan & Pawlowski and Kenney Shelton	None Provided	\$26,198.06
17-20090083	Erie County Health Department	Teamsters and NYSNA Nursing Work Stoppage at Holding Center PERB U-29239	PERB action re: RN work at ECHC	Litigation	9/29/2009; 7/27/2013	None Specified	Goldberg Segalla	None Provided	\$7,100.00
13-20090062	Erie County Highway Department	Tricoli, Phillip v Erie County Highway Dept.	Employment Claim	Litigation	5/1/2009; 10/22/2014	None Specified	Schraeder Israely	None Provided	\$49,020.84
13-20130061	Erie County Highway Department	Turner, Donald R. v. County of Erie - arising from staircase built on COE right-of-way	Guardrail constituted a taking without due process	Litigation	7/24/2013; 5/22/2014	None Specified	Hiscock Barclay	None Provided	\$11,188.85
13-20130015	Erie County Highway Department	Pelton, Foster and Estate of Sheila Pelton v. Town of Amherst and County of Erie	Wrongful death	Litigation	2/7/2013; 9/15/2015	None Specified	Kavinoky Cook	None Provided	\$47,387.69
13-20100101	Erie County Highway Department	Pulk, Suzanne v. County of Erie and Town of North Collins (formerly included co-plaintiffs Sachs, Frederick and Lankeneau Susan (fka Sachs)	Trespass	Litigation	9/8/2010; 6/1/2015	None Specified	Bengart DeMarco	None Provided	\$65,658.12
13-20100045	Erie County Highway Department	Slisz, Richard Ind. and as Executor of Est. of Amanda Slisz, deceased an infant over 14 years	Wrongful death	Litigation	4/14/2010; 3/12/2013	None Specified	Damon Morey	None Provided	\$958.00
13-20120077	Erie County Highway Department	Szczerba, John v. County of Erie	Bodily injury	Litigation	9/7/2012; 12/12/2014	None Specified	Kavinoky Cook	None Provided	\$11,995.21
13-20050097	Erie County Highway Department	Knuth, Ronald and Maureen vs. County of Erie	Negligent design	Property Damage	8/31/2005; 4/12/2012	None Specified	Harter Secrest	None Provided	\$98,608.42
13-20100015	Erie County Highway Department	Brown, Dawn P., Individually and as Administratrix of the Estate of Mark R. Brown, Deceased v County of Erie	Wrongful death	Litigation	1/29/2010; 1/7/2013	None Specified	Damon Morey	None Provided	\$3,395.50
13-20100014	Erie County Highway Department	Schnorr, Jennifer, individually and as administratrix of the estate of Megan D. Schnorr, deceased v Town of Clarence and County of Erie	Wrongful death	Litigation	1/29/2010; 1/7/2013	None Specified	Damon Morey	None Provided	\$3,433.00
20-20100011	Erie County Labor Relations	Lenczyk, David L. et al v County of Erie, ECMCC, AFSCME	Payment of AFSCME bonus to retirees	Litigation	8/11/2010; 3/19/2013	None Specified	Schraeder Israely	None Provided	\$10,558.94
21-20130008	Erie County Law Department	U.S. Department of Homeland Security - Audit of 2006 October Storm	Agency notice to recover \$48.5M in disaster assistance	Administrative	1/29/2013; 4/28/2015	None Specified	Phyllips Lytle	None Provided	\$6,925.00
21-20120035	Erie County Law Department	2012 Article 7s	Tax Certiorari Matters (2012)	Litigation	9/28/2012; 4/28/2015	None Specified	Mosey Persico Bengart Demarco Thomas E. Webb, Jr.	None Provided	\$63,355.87
21-20130035	Erie County Law Department	Erie County Charter Updates Through 2013	Charter Revision Opinion	Administrative	10/31/2013; 4/27/2015	None Specified	Harris Beach	None Provided	\$14,850.00

COUNTY ATTORNEY'S OFFICE
2012-2016 OUTSIDE COUNSEL FEES - CLOSED MATTERS

21-20140027	Erie County Law Department	Erie County Medical Center	Various legal issues re: ECMCC	Administrative	7/22/2014; 1/28/2016	None Specified	Hiscock Barclay, Mosey Persico	None Provided	\$4,887.78
25-20130028	Erie County Parks, Recreation and Forestry	Opinion re: Sales Tax on Golf Cart Rentals	Opinion	Administrative	9/13/2013; 4/20/2015	None Specified	Harris Beach	None Provided	\$7,961.40
25-20090032	Erie County Parks, Recreation and Forestry	Morales, Jannette v Asarese Matters Community Center, Rees-Allison Pool, City of Buffalo Parks and Recreation Department, Erie County Department of Parks and Recreation, City of Buffalo, and County of Erie	Bodily injury	Litigation	11/9/2009; 5/22/2014	None Specified	Jaeckle, Fleischmann	None Provided	\$29,070.95
25-20090005	Erie County Parks, Recreation and Forestry	Hall, Mary J. & Fillmore V. Hall v. City of Buffalo, Bflo. Water Auth., EC and EC Parks	Bodily injury	Litigation	1/28/2009; 10/24/2013	None Specified	Damon Morey	None Provided	\$29,414.00
26-20140001	Erie County Personnel Department	Whistleblower Protection Available to COE Employees	Opinion	Administrative	2/20/2014; 5/5/2015	None Specified	Magavern Magavern	None Provided	\$430.00
26-20110003	Erie County Personnel Department	John W. Greenan, as Personnel Commissioner for the County of Erie and Jeremy A. Colby, Individually and as Erie County Attorney for an Order and Judgment Pursuant to CPLR vs. Mark C. Poloncarz, Individually and as Erie County Comptroller	Action re: authority to effect salary increase of County Attorney	Litigation	4/12/2011; 4/12/2012	None Specified	Goldberg Segalla	None Provided	\$140.00
26-20130002	Erie County Personnel Department	Legal Review of County Employment Application (2013)	Opinion	Administrative	3/28/2013; 7/15/2013	None Specified	Phyllips Lytle	None Provided	\$6,330.00
31-20100060	Erie County Sheriff's Department	Colpoys, Donald v Erie County	Employment Claim	Litigation - Discrimination	8/16/2010; 10/22/2014	None Specified	Webster Szanyi	None Provided	\$46,723.03
31-20120080	Erie County Sheriff's Department	Thompson, Thomas - Opinion: Opinion re ECSO Deputy's criminal plea in federal court	Employment Opinion	Litigation	11/5/2012; 8/8/2014	None Specified	Phyllips Lytle	None Provided	\$19,853.45
31-20150013	Erie County Sheriff's Department	Koschuk, Peter v. Erie County Sheriff's Office - LABOR ISSUE - Petition to State Court	Employment Claim	Litigation	2/3/2015; 6/16/2016	None Specified	Kavinoky Cook	None Provided	\$8,308.75
31-20140076	Erie County Sheriff's Department	NYCLU v. ECSO - re: records related to Stingray surveillance equipment	FOIL Challenge	Litigation	11/26/2014; 6/22/2015	None Specified	Hurwitz & Fine	None Provided	\$22,493.63
31-20100080	Erie County Sheriff's Department	County of Erie and Erie County Sheriff's Office v. International Brotherhood of Teamsters Local 264 and Thomas J. Thompson	Action to confirm arbitration award	Litigation	11/8/2010; 7/15/2013	None Specified	Goldberg Segalla	None Provided	\$140.00
31-20100028	Erie County Sheriff's Department	Mack, Marquez v. County of Erie	Bodily injury	Litigation	3/15/2010; 6/9/2015	None Specified	Webster Szanyi	None Provided	\$105,934.90
31-20090033	Erie County Sheriff's Department	Ilogu, Nkechi P. v. Erie County Sheriff's Office	Employment Claim	Litigation - Discrimination	5/22/2009; 4/11/2014	None Specified	Webster Szanyi	None Provided	\$48,409.88

COUNTY ATTORNEY'S OFFICE
2012-2016 OUTSIDE COUNSEL FEES - CLOSED MATTERS

31-2010089	Erie County Sheriff's Department	Gallivan, John T. v. Erie County Sheriff's Office	Employment Claim	Litigation	12/30/2010; 2/18/2015	None Specified	Webster Szanyi	None Provided	\$36,629.88
31-20140043	Erie County Sheriff's Department	County of Erie v. Teamsters Local 264 (Kozakiewicz, Brian)	Action to stay arbitration	Litigation	7/3/2014; 12/3/2014	None Specified	Schraeder Israely	None Provided	\$3,522.60
31-20030004	Erie County Sheriff's Department	Cash, Vikki v County of Erie	Bodily injury	Litigation	1/30/2003; 9/28/2012	None Specified	Phyllips Lytle	None Provided	\$47,315.18
31-20120024	Erie County Sheriff's Department	Harris, Carlo vs. County of Erie, Erie County Holding Center, Erie County Sheriff's Department, City of Buffalo and City of Buffalo Police Department	Bodily injury	Litigation - Personal Injury	3/8/2012; 10/26/2015	None Specified	Kavinoky Cook	None Provided	\$19,873.55
32-20110011	Erie County Social Services	Boyce, Melissa J. vs. Erie County Department of Social Services	Employment Claim	Litigation - Discrimination	7/1/2011; 3/13/2013	None Specified	Goldberg Segalla	None Provided	\$14,581.29
32-20110018	Erie County Social Services	Evarts, Brian vs. County of Erie, Chris Collins, John W. Greenan, Joseph P. Dobies and Cheryl Ballard	Employment Claim	Litigation	10/14/2011; 6/4/2012	None Specified	Goldberg Segalla	None Provided	\$5,285.00
32-20110010	Erie County Social Services	Greenan, Stacey E. vs. Erie County Department of Social Services	Employment Claim	Litigation - Discrimination	7/1/2011; 12/12/2012	None Specified	Goldberg Segalla	None Provided	\$4,905.00
32-20140010	Erie County Social Services	Schunk, Francis v. County of Erie	Employment Claim	Litigation	5/12/2014; 8/20/2015	None Specified	Bond Schoeneck	None Provided	\$49,802.87
32-20110015	Erie County Social Services	Puleo, Geraldine vs. Erie County	Employment Claim	Litigation	8/25/2011; 8/8/2014	None Specified	Goldberg Segalla	None Provided	\$2,680.00
									\$1,750,542.17
2012-2016 Closed Outside Counsel & Disbursements 11032016									