



Supreme Court of the State of New York
County of ERIE

CHRISTOPHER J. ALF

Plaintiff(s)

against

THE BUFFALO NEWS, INC.

Defendant(s)

Index No. J2008-11720
Date purchased

Plaintiff(s) designate(s)
ERIE
County as the place of trial.

The basis of the venue is
residence of defendant
in Erie County

Summons

Plaintiff(s) reside(s) at
Boca Raton

County of
Palm Beach FL

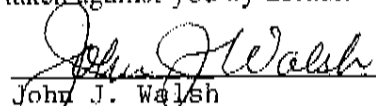
To the above named Defendant(s)


You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the amount demanded in the complaint.

Dated, October 23, 2008

Defendant's address:

1 News Plaza
Buffalo, NY 14240


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Attorney(s) for Plaintiff
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SUPREME COURT OF THE STATE OF NEW YORK
ERIE COUNTY

-----X
CHRISTOPHER J. ALF,

Plaintiff,

v.

THE BUFFALO NEWS, INC.,
Defendant.

Index No. _____

COMPLAINT

-----X
Plaintiff Christopher J. Alf, by his attorneys Carter Ledyard & Milburn LLP and Harris Beach PLLC, for his Complaint herein, alleges:

INTRODUCTORY STATEMENT

1. This is an action for defamation based on five false and very damaging articles about plaintiff, Christopher J. Alf, the founder, sole shareholder and former President and Chief Executive Officer of National Air Cargo, Inc. ("NAC"), located in Orchard Park, New York. All five articles were originally published by defendant The Buffalo News, Inc. ("TBN") and, upon information and belief, defamatory elements thereof were republished by other media and individuals. The articles were entitled: "Orchard Park Company Admits to Cheating US military" (published on October 26, 2007) (the "October 26, 2007 Article"); "Collins raps rival over Alf donation" (published on October 27, 2007) (the "October 27, 2007 Article"); "Cargo company keeps defense contract" (published on November 1, 2007) (the "November 1, 2007 Article"); "Taxpayers are cheated" (published on November 8, 2007) (the "November 8, 2007

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Article”); and “Judge delays sentencing in cargo case” (published on March 5, 2008) (the “March 5, 2008 Article”). The Defamatory Articles were written by TBN’s reporters Dan Herbeck and Michael Beebe.

2. A true, correct and complete copy of the October 26, 2007 Article is attached hereto as Exhibit A. A true, correct and complete copy of the October 27, 2007 Article is attached hereto as Exhibit B. A true, correct and complete copy of the November 1, 2007 Article is attached hereto as Exhibit C. A true, correct and complete copy of the November 8, 2007 Article is attached hereto as Exhibit D. A true, correct and complete copy of the March 5, 2008 Article is attached hereto as Exhibit E.

3. The Defamatory Articles include many false and defamatory statements and implications about Plaintiff Alf (hereinafter “Alf”) relative to the settlement of a complex contract dispute between him, as sole owner and CEO of NAC, and various government agencies regarding NAC’s compliance with transport regulations associated with air freight forwarder shipping and billing protocol, and an associated but separate agreement by NAC to enter a plea of guilty to a single count in an Information filed by the United States Attorney in federal district court in Buffalo, New York. These Articles have defamed Alf in his individual character and as an honest business professional and have thereby severely damaged his personal and business reputations as well as reduced by many millions of dollars NAC’s value as a company solely owned by, and closely identified with, Alf.

4. Alf began his professional career in 1987 as a salesman for a freight forwarding company. In 1990, he founded National Air Cargo, Inc.. He is now forty-three years of age and has not yet achieved the peak of his earning potential.

5. From 1990 to 2008, Alf was the President and Chief Executive Officer of NAC. Under his leadership, NAC's business expanded at an astounding 30% per year. In 2003, NAC was presented with the Surface Deployment and Distribution Command Quality Award for outstanding service to the Department of Defense ("DoD"). By 2007, Alf, as CEO, had positioned NAC to be the primary carrier for delivering U.S. military cargo internationally into both current overseas conflicts, moving on average over 375,000 pounds of cargo per day.

6. Alf's duties and responsibilities as President and CEO of NAC were to interact with key customers and government officials, hire and coordinate stateside and overseas managerial and other personnel, engage in strategic planning, and provide the overall vision for a global company with nearly 400 employees. As such, his personal identity and reputation were inextricably identified with NAC in the minds of the general public, and particularly with those who worked in or utilized the national and international transportation and freight forwarding industries.

7. The Defamatory Articles at issue here bear no resemblance to the actual facts about Alf's and NAC's activities as they relate to either the DoD shipping and billing protocols for air freight forwarders or the plea agreement.

8. On information and belief, TBN's reporters and editors disregarded those individuals who could have provided useful and, more important, truthful information about the more than six year old dispute between Alf, NAC and the federal government. Many elements of the Articles are outright falsehoods recklessly fabricated by TBN's reporters to fit a sensationalized and grossly exaggerated storyline. TBN repeatedly reported as facts criminal charges that were never brought, admissions of guilt by NAC

that were never made, and criminal fines that were never levied. Had TBN's reporters and editors exercised even a modicum of journalistic diligence, they would have been aware that the Defamatory Articles they were preparing and planning to publish contained multiple statements that were groundless and completely contrary to the facts. Instead, TBN published unproven allegations as fact and relied on the assertions of unnamed sources to create a tale of a massive scheme orchestrated by Alf to defraud the United States Government, and thus satisfied the desire of its reporters and editors for a sensational article about an enormously successful local business. In short, TBN acted with complete and reckless disregard for the evident falsity of the Articles and their capacity to damage Alf's reputation and destroy the value of the company whose name and identity were synonymous with his own.

9. The basic factual premises of the Defamatory Articles - that Alf, both individually and through his solely owned corporation NAC (i) repeatedly and fraudulently overcharged the government for military cargo deliveries, (ii) admitted to such overcharging and (iii) violated the False Claims Act - are utterly false and defamatory. Neither Alf nor NAC overcharged the government for military cargo shipments or admitted to such overcharging, and neither Alf nor NAC has ever been found to have violated the False Claims Act.

THE PARTIES

10. Plaintiff Christopher J. Alf ("Alf") is a resident of Boca Raton, Florida. He is the sole shareholder of National Air Cargo Holdings, Inc., which in turn wholly owns NAC Inc., and was the President and Chief Executive Officer of NAC from its founding until 2008.

11. Defendant The Buffalo News, Inc. ("TBN") is a New York corporation. Its principal executive and editorial office is located, and its operations are conducted from, One News Plaza, Buffalo, New York in Erie County.

FACTUAL BACKGROUND

12. The Defamatory Articles purport to discuss Alf's actions as they relate to a civil settlement of claims by the United States incorporated in a plea agreement negotiated with the United States Attorney for the Western District of New York ("U.S. Attorney"); included were a settlement with the U.S. government of a qui tam civil action by a former NAC employee, and a forfeiture claim by the United States. The plea agreement ("October 25, 2007 Agreement") included a guilty plea by NAC to a single count in an information which charged that a false statement was made in a proof of delivery sent to a government agency on March 19, 2001. The qui tam settlement, in an amended plea agreement, ("March 12, 2008 Settlement") resolved so-called "whistle blower" allegations relating to NAC's compliance with shipping regulations as they apply to air freight forwarders and data entry in the DoD's transaction and payment tracking software.

13. In November 2001 Mark Oehm, a customer service manager at NAC, was fired. Within a few months a disgruntled Mr. Oehm began meeting with the Defense Criminal Investigative Service ("DCIS"), relaying a series of allegations against Alf and NAC relating to shipping and billing practices. In November 2003 the U.S. Attorney's Office entered into negotiations with NAC to resolve questions relating to NAC's shipping and billing practices. In 2005, Oehm filed the qui tam action which was immediately sealed by the government but became part of the negotiations.

14. The shipping and billing issues raised by the government and the qui tam claim both involved conflicting regulations dictating the mode of cargo delivery and payment for carriage. The vast majority of those claims concerned what came to be known as the "air-truck" and "late delivery" issues. In that regard, the U.S. Attorney took the position that air freight forwarders, including NAC, are required to transport cargo by air for at least some part of the shipment and that NAC had to charge for services performed rather than services requested on the Bill of Lading. NAC maintained, and has maintained throughout the dispute, that air freight forwarders are allowed to use both motor and air carriers and are compelled by regulation to bill for services requested on the Bill of Lading and cannot voluntarily rebate any monies without a claim.

15. The DoD's Military Traffic Management Command ("MTMC") "Basic Agreement" with the transportation industry (61 Fed. Reg. 49062; 32 CFR §619.8) allows NAC to transport cargo by either motor or air carrier (the mode-neutral approach) as it determines to provide timely delivery. In contrast, the Air Mobility Command Freight Traffic Rules Publication No. 5 ("AFTRP No. 5"), which only regulates shipments which begin and end in the continental United States, states that shipments tendered for air service should move at least in part by air. However, AFTRP No. 5, also directs that, when provisions published by MTMC conflict with AFTRP No. 5, as they do in this case, the MTMC publications apply.

16. As a result of the complex and contradictory regulations in question, the United States Congress recently passed a bill (S. 3001, Duncan Hunter National Defense Authorization Act for Fiscal Year 2009), subsequently signed by the President, that

acknowledges that within DoD there has been a “lack of understanding of the contractual conditions required by the Surface Distribution and Deployment Command¹ under which ‘air freight forwarders’ operate” and that the “confusion” is “generated by lack of clear guidance” and “uncertain definitions of terms.” The new law also directs the Air Force to revise AFTRP No. 5 to conform with Defense Travel Regulations to ensure that freight covered by AFTRP No. 5 is delivered using a mode-neutral approach.

17. The “late delivery” issue raised by the U.S. Attorney with NAC involved the DoD’s transition from paper billing and payment for cargo delivery to the required use of a computer-based billing and payment system (“PowerTrack”) in March 1999. The government, through the U.S. Attorney, took the position that NAC, as an air freight forwarder using PowerTrack, must identify late shipments, initiate claims procedures for the government and voluntarily rebate monies which would reduce the amount contractually agreed upon in the Bill of Lading. NAC maintained, and has maintained throughout the dispute, that clearly applicable regulations and longstanding transport policies prohibit air freight forwarders from initiating such claims and that a mandatory claims system was in place throughout the period in question which required all claims by DoD to be initiated by the government.

18. In fact, the Defense Transportation Regulations (DTR, II-212(C)(5)(2)) specifically state that actual carrier payment will be based on the services requested under the Bill of Lading. In addition, regulations (49 C.F.R. §1005.2(a)) specifically prohibit air freight forwarders from voluntarily paying claims for delay unless the government first files an electronic or written claim. The government, in documents provided by DCIS, filed such a claim against NAC in only one instance and that claim was rescinded

¹ On January 1, 2004 MTMC was renamed the Surface Deployment and Distribution Command.

when the government realized that the cargo was oversized and thus entitled to an extra day in transit.

19. Government Transportation Officers are provided with documentation of actual delivery dates outside the PowerTrack system. Those Transportation Officers are responsible for generating a refund claim for late shipments within 60 days of a delivery. PowerTrack software only matches price terms and does not evaluate delivery dates entered by air freight forwarders. In addition, PowerTrack does not account for the many reasons why a delivery arriving on time at a military facility may then be received late by the specific consignee - including (1) the requested delivery date occurred on a weekend or holiday, (2) the delivery location was outside the continental U.S., (3) the freight was oversized and, therefore, entitled to more time for delivery (under the terms of AFTRP No. 5), (4) the consignee required a delivery date later than the requested delivery date and (5) the consignee's facility closed prior to 5 p.m. on the requested delivery date. Military bases routinely close their transportation offices prior to 5 p.m..

20. On February 23, 2001 the Defense Distribution Center, Anniston, Alabama, a unit of the Defense Logistics Agency to which NAC provided air freight forwarder services, requested proofs of delivery from NAC as part of an on time delivery audit. An unidentified employee at NAC submitted a proof of delivery for a shipment that showed a delivery date of January 24, 2001 when the shipment was actually delivered on January 26, 2001. This single submission of an untrue statement by NAC became the foundation for the plea agreement between NAC and the U.S. Attorney which the U.S. Attorney insisted upon, and which, after strenuous negotiations, eventually encompassed the entire scope of fines and civil settlement demands that the government

sought in pressing its tenuous claims regarding shipping and billing practices against NAC.

21. Under Alf's leadership, NAC's business had grown substantially every year since its inception, even as the negotiations with the government about the issues described above dragged on from 2001. A crucially important feature of NAC's business for DoD as a freight forwarder was that, in simple terms, it was a day to day business, with no long term contracts, and entirely dependent on a continuing stream of individual shipment contracts codified in separate Bills of Lading. An indictment, the threat of which was ever present with a prosecutor representing the government, would, at the very least, under government statutes and regulations, immediately and indefinitely preclude NAC from securing any new government shipping contracts not only in the Continental U.S. but also overseas. By 2007, daily shipments overseas constituted most of NAC's business. It was clear to Alf and his management team that NAC would not be able to survive an indictment no matter how confident they were that they would be found not to have violated the law at a trial many months or even years in the future. NAC would cease to exist while proving its innocence in court.

22. Both Alf and the government knew what was at stake for NAC as their discussions continued into the final phase that led to the October 25, 2007 Agreement. Presented with the choice of agreeing to a plea to an Information and paying \$28 million to settle all claims, including the qui tam, on the one hand, or losing all government business from the date of the indictment through the completion of trial, as required under DoD policy, on the other hand, Alf made a prudent business decision and directed NAC to take the plea and pay the amount the government, with its enormous leverage,

demand. In the face of an adamant federal prosecutorial process, it was the only way to save NAC's business. In the October 25, 2007 Agreement, NAC pled guilty to the single count of making a false statement (in that January 2001 proof of delivery) in an Information and agreed to pay the full \$28 million dollars the government sought in its six and one-half year old investigation.

23. The qui tam action filed in 2005 against NAC, which was joined by the federal government, was included within the plea agreement by an amendment entered into in March 2008. Within the Settlement Agreement, consistent with the position NAC has maintained throughout the dispute, NAC denied all of the qui tam suit's allegations and denied any wrongdoing or fault.

CAUSE OF ACTION

24. Despite the specific and narrow scope of what Alf authorized NAC to agree to in the settlement negotiated with the U.S. Attorney, TBN published the Defamatory Articles in The Buffalo News with the awareness and full expectation that the Articles, with their defamatory statements about Alf and his company, would be widely read and discussed in the Buffalo region, within the transportation industry, and also republished throughout the United States and the world by other media and individuals. Due to TBN's failure to obtain and report the actual facts about Alf, NAC and the plea agreement, and, on information and belief, their crediting of accusations they received from sources motivated to injure Alf and NAC, all five of the Defamatory Articles are completely false in their descriptions of the content of the plea agreement and the federal court proceedings.

25. Although they failed to provide any factual details, the defamatory statements published in the Articles:

- (a) falsely asserted that NAC, under the guidance and direction of its founder, CEO and sole shareholder Alf, cheated the U.S. Military out of millions of dollars;
- (b) falsely asserted that NAC, as directed by Alf, admitted to cheating the U.S. Military out of millions of dollars by over billing for service;
- (c) falsely asserted that NAC, as directed by Alf, admitted to fraudulent billing in a fraud case;
- (d) falsely asserted or implied that more than a single count in an Information had been alleged or admitted;
- (e) falsely asserted or implied that reports of repeated overcharges amounting to millions of dollars were supported by court papers;
- (f) falsely asserted or implied that as sole shareholder of NAC Alf obtained funds through theft;
- (g) falsely asserted that company officials who worked for Alf admitted to illegal activity in that when they insisted that cheating did not take place in Middle East shipments, they also said that NAC stopped cheating in 2005;
- (h) falsely asserted that Alf's company, NAC, was required to and did pay a fine associated with a violation of the False Claims Act;
- (i) falsely asserted that Alf and NAC took advantage of American servicemen during time of war and engaged in war profiteering.

26. Specifically, the Defamatory Articles, as published by TBN, and extensively republished in print and electronic news media throughout the world, contain the following false and defamatory statements of and concerning Alf; to the extent such statements refer to NAC, they are also of and concerning Alf because, as its founder, owner and CEO, he was and is intimately identified with NAC in the public mind, particularly in the transportation industry and in government agencies that purchase transportation services:

October 26, 2007 Article:

- A. Orchard Park company admits cheating U.S. military (Ex. A, p.1, Headline)
- B. A local air cargo company that delivers food, medicine and military equipment to soldiers in Iraq took a guilty plea in Buffalo's federal court on Tuesday, admitting that it cheated the U.S. Defense Department out of millions of dollars. (Ex. A, p. 1)
- C. Federal prosecutors and the company emphasized that the crimes uncovered involved military shipments within the continental United States. (Ex. A, p. 1)
- D. According to court papers, the company repeatedly overcharged the Defense Department for military shipments within the United States from early 1999 until April 2005. (Ex. A, p. 1)
- E. Millions of dollars in inflated bills were submitted to the government. (Ex. A, p. 1)
- F. The total dollar amount of the thefts, and the total amount of business National Air Cargo does with the government was not disclosed. (Ex. A, p. 2)
- G. Company officials said the illegal activity only involved a small portion of its business, and the government claimed the company stopped cheating the government in 2005. (Ex. A, p. 2)
- H. The plea deal calls for National Air Cargo to pay a \$7.37 million fine for violations of the False Claims Act, \$13.2 million in other fines and restitution and \$7.42 million in forfeitures to the government. (Ex. A, p. 3)

October 27, 2007 Article:

- I. An Orchard Park company that cheated the U.S. Defense Department out of millions of dollars became an issue Friday in the race for Erie County executive. (Ex. B, p. 1)
- J. Under the terms of a plea deal, which spares Alf and other company officials from serving any jail time, National Air Cargo admitted that it cheated the Defense Department by overcharging for deliveries of military supplies within the continental United States. (Ex. B, p. 1)
- K. National Air Cargo says it supplies 75 percent of the commercial air cargo service used by the military in Iraq and Afghanistan, and the company insists that none of its criminal cheating took place in the Middle East. (Ex. B, p. 1)
- L. The couple also maintains that it stopped cheating the government in 2005. (Ex. B, p. 2)

November 1, 2007 Article

- M. The Orchard Park company that admitted overbilling the U.S. Defense Department by millions of dollars will continue doing business for the federal government, at least for now. (Ex. C, p. 1)
- N. The Defense Department will not begin to research possible debarment against National Air Cargo until after all legal proceedings are over in the company's fraud case a federal department spokesman said. (Ex. C, p. 1)
- O. The company is one of the main cargo companies used to ship food, medicine, military equipment and other essentials to soldiers in Iraq and Afghanistan, authorities said. But the company's plea deal last week only involved fraudulent billing within the continental United States. (Ex. C, p. 1)
- P. The company has never cheated the government on shipments to the Middle East war zones, said Paul J. Cambria, an attorney for the cargo firm. (Ex. C, p. 1)
- Q. National Air Cargo admitted that it overbilled the government by millions of dollars for military shipments in the years 1999 to 2005. (Ex. C, p. 2)
- R. The company maintains that it stopped cheating the government in 2005. (Ex. C, p. 2)
- S. Under the terms of its corporate plea deal, none of the officers involved in the fraud committed by National Air Cargo will go to jail. (Ex. C, p. 2)

November 8, 2007 Article

- T. Taxpayers are cheated (Ex. D., p. 1, Headline)
- U. The plea deal given to a serially unpatriotic company in Orchard Park is the kind of thing that makes observers believe that a different standard of justice applies to the politically connected. (Ex. D, p. 1)
- V. Specifically, why in the name of decency should the leaders of National Air Cargo escape personal punishment for cheating the U.S. Defense Department -- and, therefore, American troops and taxpayers -- during wartime? (Ex. D, p. 1)
- W. No one from National Air Cargo will see the inside of a jail for repeatedly overcharging the Defense Department for military shipments within the continental United States between early 1999 and April 2005. (Ex. D., p. 1)
- X. Under the terms of a corporate felony plea deal, the company will pay more than \$28 million in fines, restitution and forfeitures, and while that might sting some, it's hardly a disincentive to the next company that thinks it can make millions of extra dollars by taking advantage of the plight of American servicemen and women. (Ex. D, p. 1)
- Y. What National Air Cargo did is nothing new. Contractors have taken advantage of the government during wartime ever since there were governments and wars. (Ex. D, p. 1)
- Z. For some people, the temptation to a quick, dishonest buck -- or many million of them -- is simply irresistible. But there's no law that says companies and their leaders can't be moral, ethical, patriotic and plain honest. (Ex. D, p. 1)
- AA. Sad to say, for the company's employees and Western New Yorkers in general, the leaders of National Air Cargo didn't measure up. They failed America, and America's taxpayers. (Ex. D, p. 1)

March 5, 2008 Article

- BB. A federal judge has delayed sentencing for National Air Cargo -- which was scheduled to pay \$28 million Thursday in an overbilling case for military cargo it shipped -- after last-minute snags developed in negotiations with the whistle-blower who first complained to authorities. (Ex. E, p. 1)
- CC. The Buffalo News, which reported on the plea deal in a two-day series this week, learned that the felony plea National Air Cargo entered in October came after prosecutors conducted a federal grand jury investigation into claims that the company overbilled the government by at least \$13.8 million. (Ex. E, p. 1)

These statements, singly and in combination, of and concerning Alf personally and as founder, owner and CEO of NAC, the company so closely identified with him, are false and defame him.

27. By publication of the statements set forth in paragraph 26 herein, TBN said, meant and was understood by those reading the Defamatory Articles to mean, *inter alia*, that Alf:

- (a) abused his position of trust and his authority as President and Chief Executive Officer of NAC as a provider of services to the U.S. government;
- (b) cheated the U.S. government out of millions of dollars and admitted to such cheating from early 1999 through 2005;
- (c) admitted to fraudulently billing the government in response to charges of fraud;
- (d) admitted to overbilling the government;
- (e) should have gone to jail for war profiteering;
- (f) paid a criminal fine of \$7.37 million for violations of the False Claims Act; and
- (g) acquired government funds by theft.

The Defamatory Article's false and defamatory statements and characterizations have had, and will continue to have, an extremely damaging effect on Alf's reputation and his personal and business relationships, have depressed the market value of his principal asset, NAC, and have caused him severe emotional distress and humiliation.

28. In addition to the defamation caused by the statements quoted in paragraph 26, the Defamatory Articles, taken as a whole, were at the respective times of

publication and republication, and continue to be, false and defamatory concerning Alf. The Defamatory Articles as a whole, taken in their entire context including headlines, introductory statements, photographs and photograph captions, said, meant and were understood by those reading them to mean, in addition to the meanings set forth in paragraph 25, derived from paragraph 26 A-CC above, that Alf engaged in a systematic scheme to steal from the government, admitted to such acts and should have gone to jail. TBN knew of the defamatory nature of their reporting because it also reported the public's reaction to its defamatory reporting. For example, in an article entitled "Collins raps rival over Alf donation," (published on October 27, 2007) (Ex. B) Christopher Collins, the then Republican candidate for Erie County Executive, was quoted identifying Alf as "an executive whose company has admitted stealing from the federal government." On November 4, 2007, TBN ran two letters which again reflected the effect of TBN's defamatory reporting. (A true, correct and complete copy of each letter is attached hereto as Ex. F.) A letter written by Patrick Venderbeck identifies Alf as one of the "modern day 'robber barons.'" (Ex. F, p. 3) A second letter from Theresa Lynch, published on the same day, asserts that Alf was allowed to "systematically steal millions of dollars from the United States... without jail time" and engaged in "bold-faced thievery." (Ex. F, p. 3)

29. When TBN published the Defamatory Articles, including the statements and implications with the meanings above about Alf, TBN (a) published the Defamatory Articles and such statements and implications knowing the same were false; or (b) published the Defamatory Articles and such statements and implications with reckless disregard of whether they were true or false; or (c) published the Defamatory Articles and such statements and implications in a grossly irresponsible manner without due

consideration for the standards of information gathering and dissemination ordinarily followed by responsible parties; or (d) published the Defamatory Articles and such statements and implications negligently. Such publications were also made with a level of outrageous conduct that constituted malice, wantonness, recklessness, or willful disregard of the rights of Alf and the damages it would inflict upon him.

30. Upon information and belief, the Defamatory Articles, or the substance of the defamatory allegations contained therein, were published and republished extensively in the United States and elsewhere in the world. In fact, by virtue of their publication by TBN and republication and/or archiving or caching on an unknown, and unknowable, number of internet websites and internet search engines on the worldwide web, the Defamatory Articles have been, and will continue to be, viewable anywhere in the world into the distant future, inflicting severe damage on Alf.

31. At the times the Defamatory Articles were published and republished, and previously, Alf was a respected member of the community at large both locally in the Buffalo area, throughout the United States, and in national and international transportation industry circles. By reason of, and as a direct result of, the publication of the Defamatory Articles and the statements and implications therein, Alf's personal and professional reputations have been seriously damaged, his honesty, integrity and professional competence have been impeached and he has been exposed to public ridicule and financial injury. Specifically, Alf (1) has suffered and will continue to suffer injury to his reputation as an individual and as a businessman; (2) has been exposed and will continue to be exposed to and suffer public humiliation, ridicule, contempt and emotional distress; (3) has been injured and will continue to be injured in his business and

profession, including a reduction in the value of NAC by many millions of dollars, and thereby suffered and will continue to suffer financial losses; (4) has been injured and will be further injured in the future in his business prospects; (5) has suffered and will continue to suffer grave impairment of his reputation for honesty, compliance with the law and fair business dealings within the business community and with the general public; (6) has had and will continue to have his honesty, integrity and trustworthiness called into question; and (7) has otherwise been injured and will continue to be injured in his good name, fame and credit.

WHEREFORE, Plaintiff Christopher J. Alf demands judgment against Defendant The Buffalo News, Inc:

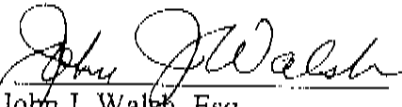
a. for compensatory damages in an amount exceeding the jurisdictional limits of all lower courts, together with interest and the costs and disbursements of this action, plus reasonable attorneys fees;

b. for punitive damages in the amount of three times the compensatory damages awarded; and


c. granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York
October 23, 2008

CARTER LEDYARD & MILBURN LLP

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Attorneys for Plaintiff

EXHIBIT A

Buffalo News

Buffalo News, The (NY)

October 26, 2007

Orchard Park company admits cheating U.S. military

Air cargo executives will avoid jail but must pay over \$28 million in fines

Author: Dan Herbeck - NEWS STAFF REPORTER

Edition: Central

Section: News

Page: A1

Index Terms:

FINES AIR CARGO COMPANY ORCHARD PARK U.S. MILITARY MONEY
CHEATED

Estimated printed pages: 4

Article Text:

A local air cargo company that delivers food, medicine and military equipment to soldiers in Iraq took a guilty plea in Buffalo's federal court on Thursday, admitting that it cheated the U.S. Defense Department out of millions of dollars.

Under the terms of its corporate plea deal, National Air Cargo of Orchard Park will pay more than \$28 million in fines, restitution and forfeitures. U.S. Attorney Terrance P. Flynn called it "the largest criminal recovery, in terms of dollars, in the history of Western New York."

But for owner Christopher J. Alf and other company officials, the good news is this: Not a single one of them will spend so much as a day in jail.

Why didn't federal prosecutors insist on jail time?

"The focus of the investigation was improper billing and submitting false documents to the Defense Department," Flynn said. "Our goal was to try to make the American taxpayer whole, and to put a stop to the illegal activity. We definitely feel that we've done that."

Federal prosecutors and the company emphasized that the crimes uncovered involved military shipments within the continental United States. Flynn said the investigation uncovered no wrongdoing involving shipments to Iraq or Afghanistan, where National Air Cargo does much of its business.

But Flynn also conceded that the investigation focused on shipments to military bases within the United States, and did not closely examine the overseas shipments.

The company, which employs 70 people locally and 280 overseas, was investigated for more than two years by the Defense Department's Criminal Investigative Service and the FBI. Authorities said information from a whistle-blower -- a former company official -- touched off the probe.

According to court papers, the company repeatedly overcharged the Defense Department for military shipments within the United States from early 1999 until April 2005.

Millions of dollars in inflated bills were submitted to the government. In some cases, National Air Cargo charged the government an air cargo delivery rate for equipment that was delivered by truck. In other instances, the company overcharged the government by falsifying the delivery dates for when items arrived at their destinations.

A felony guilty plea to one count of making a false statement was accepted late Thursday by District Judge William M. Skretny. Sentencing was scheduled for Dec. 11. If Skretny decides to fine the company more than the \$28 million that was agreed upon, National Air Cargo can withdraw its guilty plea and insist on going to trial.

The total dollar amount of the thefts, and the total amount of business National Air Cargo does with the government was not disclosed. One company attorney -- F. Whitten Peters, a former secretary of the Air Force -- said National Air Cargo provides 75 percent of the commercial air cargo service that the Defense Department uses in Iraq and Afghanistan. Company officials said the illegal activity only involved a small portion of its business, and the government claimed the company stopped cheating the government in 2005.

"This is a company that does important, mission-critical work in Iraq and Afghanistan. Their employees have their boots on the ground, right in the war zones," said one company representative who asked not to be quoted by name. "They've made thousands of shipments into the war zone . . . risking their lives."

A number of military officials have written letters supporting the company and its efforts in the Middle East, the representative said.

In 2005, the government had so much trust in the company that it was hired to deliver vote balloting equipment to Iraq for the nation's historic elections.

"National Air Cargo's highest priority continues to be providing superior freight movement services to our customers, including mission-critical supplies and materials for our men and women in the armed forces fighting in the Middle East," the company's statement said. "National Air Cargo is committed to complying with all ethical requirements."

But the company's guilty plea came as no major surprise to James W. Moorman, president of Taxpayers Against Fraud, an organization that monitors cases of fraud against the government.

Fraud by companies that sell goods or services to the military is fairly common, in Moorman's view.

"Overcharging the government is not viewed as a wrongdoing by many companies," he said in a telephone interview from Washington. "At some companies, I think undercharging would be viewed as a fire-able offense."

The Buffalo News reported in July 2006 that National Air Cargo was the target of a federal investigation into fraud. The News also reported that the company's founder and president, Alf, of Hamburg, has been active in making political donations to influential government officials.

According to Federal Election Commission records, Alf and his wife, Lori, have given at least \$56,000 to candidates and political committees. According to the records, recipients have included President Bush, Sen. Hillary Rodham Clinton, D-N.Y., and Rep. Thomas M. Reynolds, R-Clarence.

According to records, the Alfs purchased a \$10.4 million home in Boca Raton, Fla., in 2005.

Flynn said the Defense Department will make the decision whether to continue using National Air Cargo to move military equipment.

Based on what he learned during the investigation, would Flynn advise the Defense Department to continue doing business with the company?

"No comment, because that is not my role," Flynn said. "But we consider their conduct

appalling. That's why we pursued this investigation [and] got them to plead to a felony." The plea deal calls for National Air Cargo to pay a \$7.37 million fine for violations of the False Claims Act, \$13.2 million in other fines and restitution and \$7.42 million in forfeitures to the government. Alf did not appear at Thursday's court proceedings. He was represented by at least five attorneys there, including Peters and two Buffalo lawyers, Rodney O. Personius and Paul J. Cambria. Efforts to reach Alf at his home and office late Thursday were unsuccessful.

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Caption:

News file photo

Christopher J. Alf and fellow executives at National Air Cargo will serve no jail time.

File photo

U.S. Attorney Terrance P. Flynn says all overcharging involved only bases within the U.S.

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EXHIBIT B

Buffalo News

Buffalo News, The (NY)

October 27, 2007

Collins raps rival over Alf donation

Keane says \$20,000 has been returned to Air Cargo bilker

Author: Dan Herbeck - NEWS STAFF REPORTER

Edition: Final

Section: Local

Page: D2

Index Terms:

ERIE COUNTY POLITICS CAMPAIGNS DONATIONS

Estimated printed pages: 2

Article Text:

An Orchard Park company that cheated the U.S. Defense Department out of millions of dollars became an issue Friday in the race for Erie County executive.

Christopher C. Collins, the Republican candidate, called on his Democrat opponent, James P. Keane, to return \$20,000 in campaign donations that Keane received last month from the owner of the Orchard Park company.

Keane's campaign spokesman said the money has been returned already.

The issue involves donations from Christopher J. Alf and his wife, Lori. Alf is the founder and owner of National Air Cargo, which took a corporate guilty plea in federal court Thursday, agreeing to pay more than \$28 million in government fines and forfeitures.

"First it was Jim Keane embracing the support of Paul Clark, who is now being investigated by the district attorney and the FBI," Collins said on Friday. "Now he takes \$20,000 from an executive whose company has admitted to stealing from the federal government."

Keane spokesman Donald Van Every said the Alfs each donated \$10,000 to the Keane campaign on Sept. 21.

But earlier this week -- after Keane's staff heard rumors that Alf's company was considering a guilty plea -- the \$20,000 was returned to the Alfs, Van Every said.

"We have nothing to hide. We refunded the money as soon as we had any inkling that there was an issue," Van Every said. "This campaign is transparent, unlike the Collins organization."

The return of the Alfs' money will be reflected in Keane's next campaign finance report, which will be filed with the County Elections Board within the next few days, Van Every said. He said Keane's campaign has 3,700 individual donors.

Under the terms of a plea deal, which spares Alf and other company officials from serving any jail time, National Air Cargo admitted that it cheated the Defense Department by overcharging for deliveries of military supplies within the continental United States.

"There's nothing wrong, nothing unlawful with making donations," said one of Alf's attorneys, Paul J. Cambria. "This is a cheap shot . . . These candidates have much more important issues to talk about." National Air Cargo says it supplies 75 percent of the commercial air cargo service used by the military in Iraq and Afghanistan, and the

company insists that none of its criminal wrongdoing took place in the Middle East. The couple also maintains that it stopped cheating the government in 2005.

According to government records, the Alfes have been active supporters of many influential politicians for at least a decade. Among the politicians who have received thousands of dollars from the Alfes are President Bush; Sen. Hillary Rodham Clinton, D-N.Y.; Republican presidential candidate Rudy Giuliani; and Rep. Thomas M. Reynolds, R-Clarence.

Last month, as discussions over the federal plea deal were nearing completion, the Alfes gave \$25,000 each to the Democratic Congressional Campaign Committee, according to the Federal Elections Commission.

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Record Number: 0710270118

EXHIBIT C

Buffalo News

Buffalo News, The (NY)

November 1, 2007

Cargo company keeps defense contract

Orchard Park business continues to deliver goods while case goes on

Author: Dan Herbeck - NEWS STAFF REPORTER

Edition: Central

Section: Local

Page: B1

Index Terms:

MILITARY SUPPLIERS BUSINESS FRAUD CONTRACTS

Estimated printed pages: 2

Article Text:

The Orchard Park company that admitted overbilling the U.S. Defense Department by millions of dollars will continue doing business for the federal government, at least for now.

The Defense Department will not begin to research possible debarment against National Air Cargo until after all legal proceedings are over in the company's fraud case, a department spokesman said. National Air Cargo took a felony corporate guilty plea last week in federal court in Buffalo.

"No decisions can be made until all the legal procedures are over," said Air Force Capt. Tom Wenz.

The government also is not releasing how many millions of dollars it paid to National Air Cargo to move military equipment throughout the continental United States and overseas. That information may be released at a later date, Wenz said.

The company is one of the main cargo companies used to ship food, medicine, military equipment and other essentials to soldiers in Iraq and Afghanistan, authorities said.

But the company's plea deal last week only involved fraudulent billing on shipments within the continental United States. The company has never cheated the government on shipments to the Middle East war zones, said Paul J. Cambria, an attorney for the cargo firm.

In Cambria's view, there is "no question" that the Defense Department should continue to entrust the company with shipments to Iraq and Afghanistan.

"Nobody has ever claimed that any of these overseas deliveries were not made," Cambria said. "They have made thousands upon thousands of deliveries into the war zone."

Cambria said the company has served the Defense Department for at least 10 years, but he declined to say how much the government has paid to National Air Cargo.

"I don't think it's relevant, and I don't see any purpose in finding out," said Cambria, who has been designated by National Air Cargo to respond to reporters' questions about the plea deal.

Cambria said last week's guilty plea does not mean that the company is untrustworthy, or that it should be debarred from future government contracts.

"There are many, many, many companies that have done that in the past and are still providing good service to the U.S. government," Cambria said.

National Air Cargo admitted that it overbilled the government by millions of dollars for military shipments in the years 1999 to 2005. The company maintains that it stopped cheating the government in 2005.

Under the terms of its corporate plea deal, none of the officers involved in the fraud committed by National Air Cargo will go to jail.

Instead, the company will pay more than \$28 million in fines, restitution and forfeitures.

But the plea deal also allows the company to withdraw its plea if U.S. District Judge William M. Skretny decides the \$28 million is insufficient.

According to Wenz, the Defense Department is aware of the guilty plea and is "monitoring the situation."

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EXHIBIT D

Buffalo News

Buffalo News, The (NY)

November 8, 2007

Taxpayers are cheated

Local firm overcharges U.S. military but faces only fines for its practices

Edition: Central

Section: Editorial Page

Page: A6

Index Terms:

MILITARY SUPPLIERS CONTRACTORS FRAUD Editorials

Estimated printed pages: 2

Article Text:

The plea deal given to a serially unpatriotic company in Orchard Park is the kind of thing that makes observers believe that a different standard of justice applies to the politically connected.

Specifically, why in the name of decency should the leaders of National Air Cargo escape personal punishment for cheating the U.S. Defense Department -- and, therefore, American troops and taxpayers -- during wartime?

If an old man like John Rigas, former head of Adelphia, can be trundled off to the pokey for ripping off shareholders, why shouldn't someone from National Air Cargo spend time in a jumpsuit for a conviction that led to "the largest criminal recovery, in terms of dollars, in the history of Western New York," as the lead prosecutor put it?

Because there won't be any trials of individuals, that's why. No one from National Air Cargo will see the inside of a jail for repeatedly overcharging the Defense Department for military shipments within the United States between early 1999 and April 2005. Under the terms of a corporate felony plea deal, the company will pay more than \$28 million in fines, restitution and forfeitures, and while that might sting some, it's hardly a disincentive to the next company that thinks it can make millions of extra dollars by taking advantage of the plight of American servicemen and women.

What is more, while the charge involved only shipments within this country, U.S. Attorney Terrance P. Flynn acknowledged that the investigation never looked closely at overseas shipments. National Air Cargo does much of its business in Iraq and Afghanistan. So no one outside the company really knows.

What National Air Cargo did is nothing new. Contractors have taken advantage of the government during wartime ever since there were governments and wars. For some people, the temptation to a quick, dishonest buck -- or many millions of them -- is simply irresistible. But there's no law that says companies and their leaders can't be moral, ethical, patriotic and plain honest.

Sad to say, for the company's employees and Western New Yorkers in general, the leaders of National Air Cargo didn't measure up. They failed America, and America's taxpayers.

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EXHIBIT E

Buffalo News

Buffalo News, The (NY)

March 5, 2008

Judge delays sentencing in cargo case

Author: Michael Beebe and Dan Herbeck - NEWS STAFF REPORTERS

Edition: Final

Section: News

Page: A1

Index Terms:

COURTS TRIALS BUSINESS INVESTIGATIONS

Estimated printed pages: 3

Article Text:

A federal judge has delayed sentencing for National Air Cargo -- which was scheduled to pay \$28 million Thursday in an overbilling case for military cargo it shipped -- after last-minute snags developed in negotiations with the whistle-blower who first complained to authorities.

The delay comes as aides to Sen. Hillary Rodham Clinton said she feels the Defense Department should conduct an investigation into whether National Air Cargo continues to receive military business.

Government sources said that National Air Cargo has received at least \$400 million in military contracts for the wars in Iraq and Afghanistan.

As part of the guilty plea, the U.S. Justice Department said it would take no position on barring the company from doing further government business.

The Buffalo News, which reported on the plea deal in a two-day series this week, learned that the felony plea National Air Cargo entered in October came after prosecutors conducted a federal grand jury investigation into claims that the company overbilled the government by at least \$13.8 million.

Sources said that government prosecutors had called witnesses about claims that National Air Cargo had whited out delivery dates when cargo was late and allegations that the company had billed for air cargo while shipping was actually done by truck.

The News also learned that National Air Cargo, according to congressional lobbying records, has spent \$1.15 million with Washington, D.C., lobbyists over the past decade.

The newspaper reported last week that company owner Christopher J. Alf has contributed at least \$143,000 to politicians in recent years.

Clinton, who received \$16,300 from Alf and his wife, Lori, said last week that she was refunding Alf's recent donation of \$2,300 to her presidential campaign.

Rep. Thomas M. Reynolds, D-Clarence, also said last week that he has made charitable donations of the \$14,600 that the Alfs had given him and his political action committee in his last election.

Clinton's office issued the following response as to whether National Air Cargo should continue to do business with the Department of Defense:

"Senator Clinton believes strongly that contractors should be accountable. The [Department of Defense] should fully take this plea into account as it conducts an investigation into whether to debar NAC."

The criminal case was set to end Thursday, when attorneys for the Orchard Park freight forwarder were to pay the agreed-upon \$28 million before the sentencing judge, U.S. District Judge William M. Skretny.

Skretny granted the adjournment, over objections from prosecutors, at the request of F. Whitten Peters, the former secretary of the Air Force, who is heading a dream team of seven top attorneys representing the company.

Peters said in court papers that he had only recently learned that U.S. Attorney Terrance P. Flynn lacked the authority to sign off on the plea snag and that he had to negotiate with Justice Department officials in Washington, D.C.

He said that the monetary figures in the plea agreement may change and that the judge needed time to take a look at it.

Peters and Terrence O'Donnell, a former chief counsel for the Department of Defense and Vice President Cheney's personal lawyer, helped negotiate the guilty plea to a single felony count of overbilling.

That plea, which means that neither Alf nor anyone at his company will be charged, came despite government prosecutors' claims that National Air Cargo had overbilled the government by \$13.8 million.

That figure comes not from the plea deal but from a related forfeiture action that government prosecutors filed against National Air Cargo bank accounts.

The suit filed by the whistle-blower, a former employee of National Air Cargo, is sealed and is not public information by law.

The whistle-blower was set to receive a percentage of \$7 million from National Air Cargo that was part of the plea settlement. The company also was set to pay \$4.4 million in restitution, \$8.8 million in fines and another \$7 million in a civil forfeiture action.

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EXHIBIT F

Buffalo News

Buffalo News, The (NY)

November 4, 2007

EVERYBODY'S COLUMN / Letters from our readers

Edition: Final

Section: Viewpoints

Page: H5

Index Terms:

OPINION READERSLetters

Estimated printed pages: 7

Article Text:

Stop pretending a casino is economic development

Recently there have been letters accusing casino opponents of being "do-gooders." First of all, is that bad? Secondly, the facts are ignored. Extensive research notes that stand-alone urban casinos are not economic development, rather they cause economic harm. Don't take my word for it. Go online and search for William N. Thompson (a professor who is not anti-gambling), Earl Grinols and John Kindt. Go to www.nocasinoerie.org and follow the links.

We who oppose a casino have seen that while 1,000 jobs may be created, evidence shows that 2,000 to 3,000 jobs will be lost in the region. Urban casinos take regional disposable income that would be spent elsewhere in the region. It is no secret that casinos want it all inside -- eating, drinking, gambling, entertainment and now a hotel with many guests comped. This won't hurt downtown hotels and restaurants?

If people want to gamble, that's their choice. But don't pretend that this is economic development. Economic development is happening with the Buffalo Niagara Medical facilities and the Statler overhaul. They are not the same dynamic as a casino. We do have economic problems that need addressing, but casinos only make it worse.

Robert J. Heffern

Buffalo

People are ignoring facts about casinos

On consecutive Sundays, The News has published letters touting the benefits of a casino in Buffalo, and condemning those trying to prevent achievement of such and impugning their motives. The letters are excellent examples of inherent contradiction and the illogic of stating as fact unproven propositions.

One suggests that since this locale is already awash in gambling venues, another can do no harm, being in any event representative of progress. A second chides the casino opponents for failing to provide an alternative to the development and progress they are thwarting at no expense to themselves.

According to their logic, those who warn of a hazard become thereby forever responsible for the welfare of those whom they have sought to preserve, as well as all bystanders.

Lest it have been overlooked, The News on Oct. 21 carried a report from Suffolk County of another embezzlement of considerable proportion, the proximate cause of which was gambling. But gambling always did seem to possess that quality of allure, which too

often causes prudence and logic to be ignored, both by gambling's proponents and by its victims.

Paul Egan
Amherst

Wilson reaps benefits of corporate welfare

Since the late 1960s, the taxpayers of Erie County have loudly insisted that their political leaders do what was necessary to keep the Buffalo Bills here whenever Ralph Wilson threatened to leave. What was necessary became an expensive and expansive list: Taxpayers pay for a Lancaster stadium because of a broken contract deal. Taxpayers build and pay for an Orchard Park stadium. Taxpayers let Wilson use the stadium rent-free and put his name on it. Taxpayers let Wilson use the stadium for any and all events he wishes to hold there and keep all the proceeds. Taxpayers provide and pay for security at all events held at the stadium. Taxpayers pay for all stadium updates and improvements, including exclusive luxury boxes and a new multimillion-dollar scoreboard. Taxpayers build and pay for an indoor practice facility and name it after Wilson. Taxpayers pay all maintenance costs and repairs for the stadium, practice facilities and parking facilities, including repaving, repainting, resodding and snow removal.

Eleven games later, most members of the Bills organization leave town and the taxpayers are left with all the "bills." What a great business deal -- corporate welfare is a wonderful thing!

Carl and Kathleen Janish
Williamsville

Wilson needs to ensure Bills remain in Buffalo

The news about the Bills requesting a "home" game in Toronto again evokes anxiety about the organization's long-term prospects of remaining in Buffalo. As much as Ralph Wilson has been pivotal in making the Bills a fixture in our community, it has only been possible through a loyal fan base. Not to mention that Wilson enjoys perhaps the sweetest stadium deal in all of sports given by county and city governments.

With the exception of the 1990s, loyal fans have suffered through many losing seasons. Yet Wilson and his family have become rich through sellout after sellout. His position of putting the Bills up for sale to the highest bidder after his passing is pure greed.

He owes our city to ensure the team remains a part of Buffalo. Wilson has made more than a fair return on his investment and has received unbelievable concessions from our bankrupt county and city governments.

For his own legacy's sake, he needs to ensure the team stays in Buffalo. Otherwise, I don't see why we would want his name on the Wall of Fame, no matter where the team is located.

Tony Zambito
Lancaster

Case highlights greed, congressional myopia

The News article, "Orchard Park company admits cheating U.S. military," is one more classic example of congressional shortsightedness and corporate greed. Since the early

1970s, our political leaders have allowed the systematic downsizing of our nation's active duty and reserve military forces and supporting infrastructure to the point where it has become a necessity to pay civilian corporations for even the most fundamental of services i.e., timely, low-cost transportation of military resources and personnel.

These so-called cost-saving measures have not only diminished our military capability, but at the same time flung the doors wide open to the modern-day "robber barons" who expand their empires and further increase our national debt and the average law-abiding citizen's tax burden.

Perhaps it's time for Christopher Alf and his fellow corporate executives to direct their company Web master to change the National Air Cargo home page to read, "From the military to manufacturing, the world is going via National Air Cargo because, whatever the cargo, it will be delivered on time, every time and at an exorbitant cost to the people of the United States."

SMSgt. Patrick Vanderbeck

U.S. Air Force Reserve

Burt

Fines aren't enough; Alfs should go to jail

How can the U.S. government allow Christopher and Lori Alf, owners of National Air Cargo, to systematically steal millions of dollars from the United States and get off without jail time? And to make matters worse, continue to do business with the company?

Where is the deterrent? The fines aren't going to discourage such thefts. The United States is still doing business with the company, so it can offset the fines by raising rates. In effect, the United States will end up paying its own fines. This is preposterous.

The Alfs enjoy an exorbitant lifestyle courtesy of their biggest customer, the U.S. government. They make political contributions and walk away unscathed from bold-faced thievery. It practically smacks of conspiracy. Worse, it's not an isolated case.

We need to penalize disreputable companies. If we aren't going to incarcerate offenders, we need to at least refuse to do business with them.

The United States can certainly afford to discontinue business with the conspicuously affluent Alfs. National Air Cargo is simply an intermediary -- a sort of travel agent for cargo. They don't even own the planes -- just a \$10.4 million home in Boca Raton, Fla.

Theresa Lynch

Orchard Park

Will illegal immigrants also be allowed to vote?

Gov. Eliot Spitzer's plan to allow illegal aliens to obtain driver's licenses has farther-reaching nefarious effects than just providing illegals with government-approved documentation.

The New York State Motor Voter Law provides for automatic voter registration to those issued New York State driver's licenses. Spitzer's plan will in essence add hundreds of thousands of illegal aliens to the voter rolls, hundreds of thousands who seek taxpayer-funded public assistance and laws more favorable to illegal aliens. Hmmm, I wonder which party they'll cast their vote for?

Spitzer's plan is nothing more than a traitorous power grab by the Democrats to ensure

the support of the illegals and their continued control of New York. The Democratic politicians and those who vote them into office have sold out our state and country to maintain their power and line their pockets. If this is passed, Democratic politicians will be beholden to those they are sworn to protect us from.

Michael J. Beyer
Orchard Park

Plan is slap in the face to all legal immigrants

Hurrah for the county clerks and law enforcement officers who refused to look the other way when handing out driver's licenses to illegal immigrants. Are we to pick and choose what is illegally OK and what is illegally not OK? Are the taxpayers of New York State supposed to pay for the time and personnel that it takes to train these illegal persons, issuing learner's permits and then testing them?

What makes Gov. Eliot Spitzer think the roads will be safer if illegal immigrants are licensed? I'm sure their percentage of accidents is small compared to us legals. Here in New York State, we pay for no-fault insurance to cover the uninsured driver.

Illegals are stopped crossing our borders all the time. I guess if they make it here, we're supposed to let them drive. I think not! If they are here illegally, send them back to take the proper course to become American citizens. It's a slap in the face to all legal immigrants who did take the right path to become American citizens.

Grace McGee
Buffalo

Reynolds, Kuhl right to uphold SCHIP veto

I write this letter in support of President Bush and local Congressmen Randy Kuhl and Tom Reynolds. I support their opposition to the ridiculous raises proposed to the State Children's Health Insurance Program. Though I belong to no political party, I appreciate anyone who is trying to slow or stop the spread of socialism in our country.

In some cases SCHIP would help cover "children" up to age 25 and families with incomes up to \$60,000. Are we insane? Do we want to end up like Norway, where the government takes 78 percent of a person's paycheck to finance its social programs?

Where does it say in our constitution that government should take care of our children's health care? The government doesn't have any money. It can only take it out of our pockets and redistribute it.

Take care of your own children and get your hand out of my pocket. A great American once said, "Ask not what your country can do for you; ask what you can do for your country" -- President John F. Kennedy.

Art Kohl
Angola

More money for war, but not for health care

Once again, Congressman Tom Reynolds has shown his true colors. He voted to uphold President Bush's veto of the bill to expand the State Children's Health Insurance Program to help give health care to the nation's poor children. Reynolds continues to support Bush and his failed policies in Iraq, and has no qualms about asking for billions of dollars to continue on in this debacle, but will not consider our children's health.

Then there is the tobacco money Reynolds and Bush received in the past. Could that be the real reason they won't support this bill? It's all about big business and not about our children, except to ask them to join the military and become fodder for Bush's war machine.

Diana Butsch

West Falls

Caption:

Bill Wippert/Buffalo News

Some Erie County residents think the Buffalo Bills lease is too costly.

Derck Gee/Buffalo News

Opponents and supporters are still debating whether the city will benefit from the Seneca Buffalo Creek Casino.

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