

Buffalo News and NYC Attorney Sued by Buffalo Biodiesel



Buffalo, New York Feb 13, 2026 ([Issuewire.com](https://www.issuewire.com)) - In what it portrays as an effort to remedy reputational harm rather than seek a payday, Buffalo Biodiesel, Inc. (“BBD”), a Buffalo-based company that collects used cooking oil from more than 28,000 restaurants across the Northeastern United States, has filed suit in Erie County Supreme Court against The Buffalo News (“BN”) and Manhattan-based attorney Michael Collesano. BBD claims it’s seeking to restore its reputation and confront a coordinated smear campaign against its business, stating it will dedicate any proceeds to initiatives supporting a free and independent press and to environmental projects.

The 76-page legal filing outlines a sweeping set of allegations aimed at defendants BN, Collesano, and BN reporter Mackenzie Shuman, who is not named specifically but is referenced throughout. The complaint is written in the company’s voice and repeatedly frames the dispute as an existential threat to its business—a reputational and commercial attack carried out in court papers and then echoed in newsprint.

“Plaintiff plans to dedicate all proceeds from this action to efforts that restore its reputation and demonstrate that the litigation is not being pursued for financial gain,” the complaint states. “These funds will be directed toward initiatives that support a free and independent press and toward environmental projects designed to reduce carbon and methane emissions.”

COLLESANO'S CLASS ACTION FALSEHOODS?

For Context, Michael Collesano filed a lawsuit against Buffalo Biodiesel, making various allegations in 2024, and sought class action certification. He was denied and the lawsuit was dismissed.

The complaint's narrative begins with what it calls Collesano's "attempted class action" against BBD.

"That on or about August 14th, 2024, Defendant Collesano filed a Summons and Complaint against Plaintiff requesting certification for a class action lawsuit," the complaint says. It contends that the lawsuit, which it notes is publicly accessible, contained "dozens of claims," it says were designed to damage BBD's standing in the community and the industry, including allegations of "fraud, tax evasion, anti-trust violations, victimizing our suppliers, and operating a criminal enterprise."

"Defendant Collesano has no personal knowledge of these claims yet has made statements NOT made upon information and belief," the complaint says. "Even when prefacing a statement upon information and belief, Defendant is making personal accusations against Plaintiff. He has no information to base these statements upon, yet has done so anyway."

A central theme of the complaint is that the "class action" label – **which court records show was never established** – was used unethically by Collesano. BBD asserts that while the lawsuit was ongoing and Collesano was seeking class action certification, he was telling third parties and potential clients that he was counsel in a class action lawsuit.

"Upon information and belief, during the pendency of motion practice – which spanned months – Defendant Collesano told third parties, including prospective clients for his own legal practice that he found on NYSCEF, that he was counsel for a class action lawsuit despite the fact that the class action was never certified," the complaint alleges.

The company claims those representations were then used by competitor businesses to take away existing clients and damage their reputation to prevent BBD from signing new ones.

"This lie that Defendant Collesano had a class action lawsuit, which was NEVER certified, was used by competitors of Plaintiff – namely Lifecycle Renewables, Inc. ('Lifecycle') and Baker Commodities Inc. ('Baker') – to tarnish our reputation in the oil collection industry, poach existing suppliers, and deter future ones," the complaint states.

The complaint even alleges a relationship between Collesano and one or both of these competitors.

"Upon information and belief, Defendant Collesano has worked with Lifecycle to tarnish Plaintiff's reputation and financially harm the business," the filing says, and adds a similar allegation regarding Baker.

This allegation turned out to be true. In a separate report done by Niagara Action on January 8th, this publication confirmed that during an on-the-record argument on December 23rd, 2025, Attorney Collesano stated that he was hired and being paid by a competitor of Buffalo Biodiesel. However, at this time, it is unknown which competitor.

BBD also highlights statements it characterizes as inflammatory and intended for public impact.

"Defendant has threatened to sue an unknown number of small businesses using uniform doctored

letters originally sanctioned by the New York State Attorney General and letters implying these potential plaintiffs are either committing crimes, will be committing one if they do business with BBD's competitor, or are responsible for preventing them," one excerpt says. (These are comments made by Collesano about BBD in his failed class action lawsuit)

Another excerpt quoted in the complaint alleges that BBD uses litigation not to resolve disputes but to pressure settlements: "The Defendant is not using the Court system to litigate these claims, but to serve complaints, and then cherry pick the most vulnerable who choose to 1) settle for a sum less than a legal defense, 2) Default (which can be due to business failure and abandonment), and 3) hire counsel in which case the matters stagnate." (these are comments made by Collesano about BBD in his failed class action lawsuit)

The complaint's broader point is that Collesano's filings do not merely accuse the company but rather read as a list of personal grievances describing the business model as predatory, criminal, and dishonest. It quotes language such as: "BBD uses the existence of 'theft' of their 'property' as a bludgeon to intimidate anyone and everyone in its orbit," and, "BBD uses misrepresentation and fraud to entice these businesses into contract." (these are comments made by Collesano about BBD in his failed class action lawsuit)

From there, the complaint claims Collesano did not keep those claims within the four corners of the pleadings. Buffalo Biodiesel alleges that he told judges and others that a class action existed in order to affect ongoing discovery disputes.

"Upon information and belief, Defendant Collesano had told Erie County Supreme Court Judges that there is an existing class action suit as a reason to delay answering discovery demands in cases where he is defense counsel to parties sued by Plaintiff," the filing says. It also alleges he repeated the same claim to "prospective and current clients," telling them "that there is a class action lawsuit that they could join against Buffalo Biodiesel."

COLLESANO SOLICITING CLIENTS UNETHICALLY?

The complaint then spends considerable time outlining what they consider unethical advertising and solicitation practices by Collesano, asserting he is using court dockets to identify and contact defendants in BBD cases. The complaint cites New York's Rule 7.3 governing solicitation.

"Rule 7.3 states that '(a) A lawyer shall not engage in solicitation: (1) by in-person or telephone contact, or by realtime or interactive computer-accessed communication unless the recipient is a close friend, relative, former client or existing client'"

BBD says Collesano "solicited clients from NYSCEF, reaching out to defendants that are being sued by BBD of, offering to represent them," and claims he did so across multiple states. "Upon information and belief, Defendant Collesano, who practices law out of New York City, has solicited clients in states including New Jersey, Pennsylvania, Michigan, Ohio, and others," the complaint alleges, adding: "these businesses who were sued by Plaintiff did not find Defendant Collesano on their own – he found them."

The complaint also notes what Collesano says to the people he contacts, including statements about BBD's contracts, conduct, regulatory status, claims that the company was "being shut down by the DEC," and that there was a class action. The complaint then quotes what it describes as an admission Collesano made in correspondence to a grievance committee, in which he discussed building a database of cases and sending letters:

“This motivated me to instruct my secretary to build a database list of cases where BBD had sued small businesses in the past few months and to send a letter to them, which I filed with the Committee,” the quoted passage says. It continues: “The letters sent resulted in my receipt of many calls. I was advised by all those responding that none of those business owners held BBD in a positive light. Some became my clients.”

BBD argues that amounts to an admission of misconduct under the solicitation rule.

“In stating so, he implicated himself under Rule 7.3,” the complaint asserts. It then attributes an ideological motive to Collesano, alleging he framed the campaign as existential and personal.

“In that same correspondence to the Grievance Committee, Defendant Collesano explained that he solicited clients because it is the purpose of his existence on Earth – his ‘raison d’être’ as he referred to it – to protect businesses from BBD,” the complaint says.

The filing shows the solicitations did not stop with active defendants. The complaint alleges that BBD received a letter from current suppliers who received a solicitation letter from Collesano, asserting that it’s being sent broadly to people who settled with them in the past. According to a brief review of closed files on NYSCEF, Collesano could have sent this letter to hundreds of suppliers.

“The letter from Defendant Collesano is being sent to every single defendant that Plaintiff ever settled a lawsuit with,” the complaint alleges, adding: “Again, he is finding these individuals again through NYSCEF and encouraging them to hire him, stating that their settlement can be set aside.”

According to the complaint, some of the recipients are current suppliers whose settlements included continuing service and signing new contracts, meaning a solicitation encouraging them to reopen closed disputes could, BBD argues, directly interfere with business relationships.

“Upon information and belief, Defendant Collesano is soliciting these individuals and encouraging them to breach a legally binding settlement agreement, interfering with Plaintiff’s contracts,” the complaint alleges.

BUFFALO NEWS REPORTER SHUMAN BIASED? COMPLICIT?

A refusal by Mackenzie Shuman to investigate claims against Michael Collesano.

The filing then shifts to BN and reporter Mackenzie Shuman, an environmental reporter and climbing gym front-desk employee, focusing first on an article published August 17th, 2025.

“Defendant BN published an article titled ‘Buffalo Biodiesel, in trouble with state regulator, also faces lawsuit from 27 customers’ on August 17th, 2025,” the complaint says. The complaint calls the piece defamatory and says it contained “numerous false and defamatory statements, implications and insinuations” about Plaintiff’s service practices, its dealings with customers and suppliers, and its relationship with state regulators, including references to the New York Attorney General and the Department of Environmental Conservation.

From BBD’s perspective, the most damning part is not simply what the article reported, but what information the newspaper refused to report. The complaint alleges that the August 17th article relied on a lawsuit Collesano filed on behalf of 27 plaintiffs around August 7th, 2025, and that Collesano contacted Shuman to drive coverage.

The complaint says that before publication, their in-house counsel spoke with Shuman and provided a detailed roadmap of court history and reasons the company believed the new lawsuit was defective and/or without merit.

The lawsuit claims none of that context appeared.

“Rather than look into these claims or elaborate at length about what had been told to her by Plaintiff’s in-house counsel, Defendant’s [BN Reporter Shuman] quoted only eight words, ‘[I’m] not going to respond to something that’s nonsense,’” the complaint states.

BBD says call records reflect a longer conversation.

The complaint also accuses Shuman of failing to research Collesano’s background, credibility, and personal legal issues, alleging she “did no research into Defendant Collesano, his claims against Plaintiff, his credibility, mental health issues, alcoholism or pending lawsuits involving him personally.”

To underscore what it says was readily discoverable on public dockets, the complaint references additional attached exhibits: a complaint filed May 11, 2025, in which Collesano sued a woman for defamation after she told him he “ha[s] a little dick;” a housing-related legal action involving eviction and a foreclosure/common charges dispute; and photos the complaint says Collesano posted on Facebook featuring alcohol.

Further damning, however, is that Shuman failed to investigate potential financial motivations for Collesano’s actions.

“Upon information and belief, by virtue of failing to do her due diligence as a reporter, [BN Reporter Shuman] failed to make a connection between the debt Defendant Collesano has and his fervor to solicit suppliers that Plaintiff is suing as his clients, lying about his abilities, lying about a class action against Plaintiff, and promising results that will never happen.”

As the complaint states, “Defendant Collesano colluded with BN for a quick ‘money grab’ using Defendant BN’s article to solicit over seventy Buffalo Biodiesel defendants.”

The filing repeatedly referenced Shuman and BN as ignoring information given to them by BBD and publicly available court documents available on NYSCEF, including the litigation history between the parties and a decision dismissing Collesano’s attempted class action issued by Erie County Supreme Court Judge Deborah Chimes.

The complaint also asserts Shuman declined to explore allegations that Collesano worked with competitors Lifecycle and Baker to harm Buffalo Biodiesel.

“Upon information and belief, [BN Reporter Shuman] failed to explore allegations made by Plaintiff that Defendant Collesano has conspired with competitor companies – namely Lifecycle and Baker – to injure Plaintiff, allowing them to poach clients and deter future business,” the complaint alleges.

It goes further, stating: “Upon information and belief, Defendant Collesano has received compensation and/or client referrals from Lifecycle and Baker for engaging in a campaign to maliciously and intentionally harm Plaintiff’s reputation in the oil collection industry, steering clients to them.”

SHUMAN AND COLLESANO WORKING WITH COMPETITORS OF BBD?

Not only did BBD allege that Collesano and Shuman worked together to achieve a mutual goal of hurting BBD, but that they did so in concert with one or multiple competitors of the company. “Upon information and belief, [BN Reporter Shuman] worked in concert with Defendant Collesano to write a negative and damaging story to Plaintiff’s reputation in the community and financially as it pertains to current and future suppliers,” the complaint asserts. It alleges that information and allegations in the story were provided by Collesano, and that he selected which clients would speak.

The complaint refers to several competitors such as Lifecycle Renewables, Darling Ingredients, CS, Green Planet, Auto Bi-products, Evergreen, and Baker Commodities who used the misrepresentations of Defendant Collesano, and the subsequent publications of BN Reporter Shuman, to “tarnish Plaintiff’s reputation in the oil collection industry, poach existing suppliers, and deter future ones.”

According to federal filings, there is an active federal lawsuit between Darling Ingredients and BBD. Darling alleges that BBD stole dozens of their vats from locations that they were servicing. However, this has been denied by BBD.

In a counter-complaint filed by BBD, they levied several causes of action of their own.

“Since Buffalo Biodiesel commenced operations, Darling Ingredients has engaged in a calculated and persistent campaign of unfair, unlawful, and patently improper conduct, deliberately targeting Buffalo Biodiesel’s business interests and contractual relationships,” the counter complaint wrote.

In total, their allegations include making false statements about BBD, engaging in extortion and threats of criminal prosecution, exerting economic pressure and threatening regulatory or legal consequences, inducing breaches of contracting, being involved in unlawful waste vegetable oil transactions, distributing material to BBD suppliers to induce breach, conversion of equipment, dissemination of defamatory material to current and prospective suppliers, and etc.. Included below is their Answer and counterclaims.

Back to BBD’s lawsuit against BN and Collesano.

SHUMAN FABRICATES STORIES REGARDING DEC ACTION AGAINST BUFFALO BIODEISEL?

The complaint then quoted or paraphrased statements it says appeared in the August 17th article and explains why BBD characterizes them as false and defamatory. Among the statements the complaint highlights is the article’s framing that the company signs restaurants to contracts, fails to collect oil, and then sues when restaurants turn to other vendors. Another is the article’s description of the Attorney General’s past actions, which BBD argues were mischaracterized.

The complaint then took aim at BN as a whole, alleging that the newspaper was warned before publication of the articles and that they went ahead and published/printed the story anyway. In one of the complaint’s most direct accusations against the newsroom, it alleges that BBD’s in-house counsel reached out to the newspaper’s counsel and urged the paper not to publish what the reporter was preparing.

“Upon information and belief, an attorney for Defendant BN was contacted by In-House counsel for Plaintiff. In that correspondence, Plaintiff’s in-house counsel informed counsel for Defendant BN of what [BN Reporter Shuman] was going to write and urged that it not be published due to its falsity,” the complaint alleges. It continues: “Upon information and belief, Defendant BN had notice that [BN

Reporter Shuman's] reporting was not accurate," and, "Upon information and belief, despite knowing that [BN Reporter Shuman] was writing a false article where she did not do her due diligence to investigate the story, Defendant BN published the August 17th, 2025, article."

The complaint then goes article by article, arguing that the initial coverage set the tone and that subsequent pieces amplified what BBD calls the same core mischaracterizations. It points to a September 5th, 2025, article titled "Buffalo Biodiesel allowed to stay open, but must ramp down production, state says," which the complaint alleges misrepresented and/or totally fabricates statements from the DEC and falsely implied the company was required to reduce operations. It then includes an October 9th, 2025, article titled "Buffalo Biodiesel has finally applied for its permits, but state says shutdown still possible," and alleges that the reporting used language suggesting Buffalo Biodiesel operated "illegally" or without proper permits for years.

In the September 5th article, BBD says that Shuman "manufactured false quotes from the DEC," alleging she changed her explanation for where she obtained information—first claiming the DEC provided it, then calling it public, then attributing it to a third party. As the company repeatedly writes throughout, "the DEC never released a statement regarding BBD."

BBD sued the Buffalo News individually for (1) defamation and (2) negligence.

BBD sued Michael Collesano individually for (1) defamation and 2) tortious interference with contract.

BBD then sued both the Buffalo News and Michael Collesano together for tortious interference with business relationships.

Media Contact

Niagara Action

*****@gmail.com

7165388237

P.O. Box 45, Lockport NY 14095

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