

14009

September 14, 2010

To: Honorable Members of the  
Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: Request for Authorization to Settle the Claim of State Farm a/s/o Stephanie Thompson v. Westchester County Department of Transportation in the amount of \$12,160.16.

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Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize settling the claim of State Farm a/s/o Stephanie Thompson v. Westchester County Department of Transportation in the amount of \$12,160.16.

The claimant, State Farm a/s/o Stephanie Thompson (State Farm), alleges that on or about June 23, 2008 at approximately 1:00 p.m. on Halstead Ave in Harrison, a County van struck the rear of its insured's, Stephanie Thompson's, parked 2000 Mercedes E320 causing her vehicle to strike the rear of the 2004 Toyota passenger vehicle parked in front of her vehicle. According to the police report, the County driver states that as he was traveling west on Halstead Ave., an alarm sounded from his dashboard. He said he took his eyes off the roadway momentarily to investigate the sound and when he looked up, his vehicle rear ended the insured's parked vehicle causing her vehicle to strike the vehicle parked in front of her. The claimant alleges that the accident was due to the negligence of the County employee.

After extensive settlement negotiations, the parties have tentatively agreed to settle this matter by payment to State Farm in the amount of \$12,160.16.

It is the position of this office that this settlement is in the best interest of the County. The Acting Commissioner of Parks, Recreation and Conservation, concurs in this recommendation.

RFM/rjj

**RESOLUTION**

Upon the communication of the County Attorney; it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit State Farm Mutual Automobile Insurance Company a/s/o Stephanie Thompson v. Westchester County Department of Transportation in the amount of \$12,160.16.

RESOLVED, that the County Attorney or his designee is authorized to execute any documents necessary to implement this resolution.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
615	59	0688 / 3320	4280 / 05		\$12,160.16

Budget Funding Year \_\_\_\_\_ Start Date: **1/1/2010** End Date: **12/31/2010**  
(match resolution)

Funding Source Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

**\$12,160.16** Federal Aid \_\_\_\_\_

(must resolution)

Other **6N fund - \$12,160.16** \_\_\_\_\_