

44506

January 28, 2015

To: Honorable Members of the  
Board of Acquisition and Contract

From: Robert F. Meehan  
County Attorney

Re: Request for Authorization to Settle the Lawsuit of Maria Magnotta and Rocco Magnotta v. County of Westchester in the amount of \$60,000.00.

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Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize settlement of the lawsuit of Maria Magnotta and Rocco Magnotta v. County of Westchester in the amount of \$60,000.00.

Maria Magnotta ("plaintiff"), alleges that on October 12, 2011, at approximately 9:30 a.m. she tripped and fell over a raised section on the concrete walkway near the concession stand at the Kensico Dam Plaza. Plaintiff claims that as a result of the fall, she suffered a fracture to her nasal bone, a tear to her right shoulder rotator cuff, scarring to her knee and face, and soft tissue sprain and swelling to her left wrist. Plaintiff was 80 years old at the time of her accident.

Plaintiff is represented by the Office of Joseph A. Maria, P.C., 301 Old Tarrytown Road, White Plains, New York 10603.

In light of the nature of plaintiff's injuries, a settlement of \$60,000.00 was proposed and plaintiff's counsel has indicated that such an amount is acceptable to plaintiff.

RFM:jf

RESOLUTION

Upon the communication of the County Attorney, it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of Maria Magnotta and Rocco Magnotta v. County of Westchester in the amount of \$60,000.00.

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	0691/3510	4280/04		\$60,000

Budget Funding Year(s) 2015 Start Date 1/1/2015 End Date 12/31/2015  
(must match resolution)

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

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

**\$ 60,000** Federal Aid \_\_\_\_\_

(must match resolution)

Other 6N Fund - \$60,000