

44507

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 Jose Pichardo v. GPS Industries, LLC and the County of Westchester in the amount of \$70,000.00.

Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize settlement of the lawsuit of Jose Pichardo v. GPS Industries, LLC and the County of Westchester in the amount of \$70,000.00.

Plaintiff was a subcontractor of GPS Industries, LLC, who was hired to repair a problem with the GPS systems in the golf carts at Saxon Woods Golf Course. Plaintiff alleges that on March 30, 2013, at approximately 1:30 p.m., he fell off a ladder while attempting to repair a receiving antenna on the roof of the clubhouse at the golf course. Plaintiff claims that as a result of the fall, he suffered multiple ligament and tendon tears to his left ankle, knee and shoulder necessitating arthroscopic surgery to his left knee. Plaintiff also claims that he missed 126 days of work as a result of his accident.

Plaintiff is represented by the Law Office of Steven Adam Rubin and Associates, PLLC, 71 West 23rd Street, New York, New York 10010.

In light of the nature of plaintiff's injuries, a settlement of \$140,000.00 was proposed with the County and GPS sharing equally in such payment. 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 Jose Pichardo v. GPS Industries, LLC and the County of Westchester in the amount of \$70,000.00.

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	0693/3710	4280/04		\$70,000

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

Funding Source Tax Dollars _____

State Aid _____

\$ 70,000 Federal Aid _____

(must match resolution)

Other 6N Fund - \$70,000