

OnBase ID # 60482

January 8, 2018

To: Honorable Members of the
Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Request for Authorization to Settle the Lawsuit of Kenia Bonner v The County of Westchester et al. in the amount of \$25,000 inclusive of attorney's fees.

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit entitled Kenia Bonner v. The County of Westchester, et al.

Plaintiff alleges that on April 13, 2015 at the Main Street and North Avenue bus stop in New Rochelle she stepped off of the #60 bus with her left leg and stepped into a pothole resulting in a left ankle fracture and torn ligament.

Plaintiff is represented by Jeffrey Zeichner, Esq. 895 Sheridan Avenue, Bronx, New York 10451. The County and Liberty Lines are represented by Harris Beach, 445 Hamilton Avenue, Suite 1206, White Plains, New York 10601.

In light of the nature of Plaintiff's injuries and the likelihood that a jury may believe that the operator of the Liberty Lines bus was negligent in discharging the plaintiff in an unsafe area and that his actions were the proximate cause of plaintiff's injuries, a settlement of \$25,000.00 is proposed, and Plaintiff's counsel has indicated that such an amount would be acceptable to Plaintiff.

JMN/jhf

RESOLUTION

Upon the communication of the County Attorney, it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of Kenia Bonner v. Westchester County, et al. by payment from the County of Westchester to Kenia Bonner in an amount not to exceed \$25,000.00; and it is further

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

Original Agreement	\$
First Amendment	\$
This Amendment	\$ _____
TOTAL	\$

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
101	44	2100	4924		25,000.00

Budget Funding Year(s) 2017 Start Date 1/1/2017 End Date 12/31/2017
(must match resolution)

Funding Source Tax Dollars 25,000.00

State Aid _____

\$ 25,000.00 Federal Aid _____

(must match resolution) Other 6N fund _____