

ONBASE ID # 70419

June 24, 2019

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 Melani Lambert-Suin v The  
County of Westchester and Kevin M. Roseman. in the amount of \$40,000 inclusive  
of attorney's fees.

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Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit entitled Melanie Lambert-Suin v. The County of Westchester and Kevin M. Roseman.

On August 1, 2017 at approximately 8:50 a.m. the 23 year old Plaintiff was traveling west on Hamilton Avenue in the right lane near the exit to Bronx Street. Kevin Roseman, Westchester County Traffic Engineer was traveling in the same direction in the left lane when he changed lanes at the last minute striking plaintiff's vehicle which was in his blind spot. Plaintiff's vehicle flipped over onto its side and skidded along the roadway. Plaintiff was taken by ambulance to White Plains Hospital where she complained of lower back pain and left knee pain. She was later diagnosed with posterior and central disc bulges in her cervical spine as well as a torn medial meniscus in her left knee requiring surgery.

Plaintiff is represented by Greenstein & Milbauer, LLP, 1825 Park Avenue, 9<sup>th</sup> Floor, New York, New York 10035.

In light of the nature of Plaintiff's injuries and the likelihood that a jury may believe that the employee operator of the County vehicle was negligent in failing to see plaintiff and in disregarding pavement markers when changing lanes and that his actions were the proximate cause of plaintiff's injuries, a settlement of \$40,000.00 is proposed. Plaintiff's counsel has indicated that such an amount would be acceptable to Plaintiff.

JMN/jhf  
Enclosure

**RESOLUTION**

Upon the communication of the County Attorney, it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of Melanie Lambert-Suin v. Westchester County and Kevin Roseman by payment from the County of Westchester to Melanie Lambert-Suin in an amount not to exceed \$40,000.00, 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	\$	
<b>This Amendment</b>	<b>\$</b>	<b>_____</b>
<b>TOTAL</b>	<b>\$</b>	<b>_____</b>

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
615	59	0697/4120	4280/05		40,000.00

Budget Funding Year(s) 2019 Start Date 1/1/2019 End Date 12/31/2019  
 (must match resolution)

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

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

\$ 40,000.00 Federal Aid \_\_\_\_\_

(must match resolution) Other 6N fund \$40,000.00