EDWARD P. MANGANO
County Executive

CARNELL T. FOSKEY
County Attorney

308-15

Staff Summary
FOR EXECUTIVE SESSION ONLY

Subject **Settlement Resolution** for *Stamile, et al. v. County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Sposato* *** Shannon Paiz only. Separate Staff Summaries shall be submitted for Melissa Stamile and Kendra Hinds*	**Department Contact/Representative for Leg Meeting: Deputy County Attorney Liora M. Ben-Sorek** **571-3014**
Department County Attorney	
Department Head Name Carnell T. Foskey, County Attorney	
Department Head Signature	
Date January 15, 2015	

Proposed Legislative Action					
	To	Date	Approval	Info	Other
	Assgn Comm				
	Rules Comm				
	Full Leg				

Internal Approvals			
Date & Init.	**Approval**	**Date & Init.**	**Approval**
	Dept. Head		Leg. Affairs
7/23 (RC)	Budget	7/23	County Atty.
7/28	Deputy C.E.	7/28	County Exec.

Narrative
Purpose:

To authorize settlement of a civil rights action, *Stamile, et al. v. County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Michael Sposato*, commenced against Nassau County. (File No. 09X34751-0)
** (Shannon Paiz only. Separate Staff Summaries will be provided for Melissa Stamile and Kendra Hinds)

Discussion:

Please see attached confidential settlement documents.

Proposed settlement amount and impact on funding:

The plaintiff, Shannon Paiz, has agreed to accept $240,000 in full and final settlement of this case

Recommendation:

Approve settlement resolution.

2015 JUL 28 P 4:25

RESOLUTION NO. - 2015

A RESOLUTION authorizing the County Attorney to compromise and settle the claim of Plaintiff, Melissa Stamile, as set forth in the action entitled *Stamile, et al. v. County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Michael Sposato, Docket No.* 10-CV-2632 (AKT), United States District Court, Eastern District of New York, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

APPROVED AS TO FORM

Deputy County Attorney

2015 JUL 28 P 1:26

WHEREAS, Melissa Stamile, Kendra Hinds, Shannon Paiz, Courtney Braccia, Jessica Little and Colleen Scarpetta (the "Plaintiffs") commenced an action against County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Michael Sposato (the "County") entitled *Stamile, et al. v. County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Michael Sposato, Docket No. 10-CV-2632 (AKT), United States District Court, Eastern District of New York,* alleging certain violations of the Plaintiffs' rights, and the County has agreed to make payment to Plaintiff, Melissa Stamile, in the amount of $240,000.00 inclusive of attorneys' fees in full satisfaction of the litigation plus interest; and

WHEREAS, the County Attorney has caused an investigation and analysis to be made of the said action and as a result thereof recommends that it be settled in the amount set forth above; now therefore, be it

RESOLVED, that the County Attorney be and is hereby authorized and directed to settle the said action in the amount as indicated above, provided that, if any payment arising from said

action is to be made from the proceeds of a borrowing, that a bond ordinance to finance such settlement is adopted by this Legislature and any borrowing pursuant to such bond ordinance is approved by the Nassau County Interim Finance Authority, if such approval is required; and be it further

RESOLVED, that the County Treasurer be and is hereby authorized to pay a maximum of $240,000.00 by check or checks payable as directed by the County Attorney, said check or checks to be delivered to the County Attorney and thereupon delivered to the attorneys for Plaintiff, Melissa Stamile, upon receipt of a Settlement Agreement and Limited Release; and be it further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 *et seq.* and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that this settlement is a "Type II" Action within the meaning of Section 617.5(c)(29) of 6 N.Y.C.R.R. and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

EDWARD P. MANGANO
County Executive

CARNELL T. FOSKEY
County Attorney

Inter-Departmental Memo
FOR EXECUTIVE SESSION ONLY

To: **Clerk of the Legislature**

From: **Office of the County Attorney**

Date: **July 13, 2015**

Re: **RESOLUTION – ORIG. DEPT. – Office of the County Attorney**

A RESOLUTION authorizing the County Attorney to compromise and settle the claim of Plaintiff, Shannon Paiz, as set forth in the action entitled *Stamile, et al. v. County of Nassau, Mark Barber, C.O. Keith Ravizee and Sheriff Michael Sposato, Docket No. 10-CV-2632 (AKT), United States District Court, Eastern District of New York*, pursuant to the County Law, the County Government Law of Nassau County and the Nassau County Administrative Code.

The above-described document attached hereto is forwarded for your review and approval and subsequent transmittal to the County Legislature for inclusion upon their calendar.

CARNELL T. FOSKEY
County Attorney

By: Gerald Podlesak
Deputy County Attorney
Appeals and Opinion Bureau

Attachments