

**MINUTES OF THE MEETING OF THE  
LITIGATION SETTLEMENT COMMITTEE  
Wednesday, October 7, 2009**

**Committee Members Present:** Mr. Lawrence Rusconi, Chairman; Mr. Robert Smuts, Chief Administrative Officer; Alderman Jorge Perez; and Mr. Mark Pietrosimone, Controller.

**Corporation Counsel Staff Present:** Audrey Kramer, Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant II.

**CIRMA Care Representative:** Mr. Joseph Salcito

**Workers' Compensation  
Division Representative:** Mr. Daniel Roche

**Meeting Started:** 5:35 p.m.

**Meeting Ended:** 5:50 p.m.

Mr. Rusconi called the meeting to order at 5:35 p.m.

Mr. Pietrosimone moved approval of the minutes of the September 9, 2009 meeting. Mr. Smuts seconded the motion. Alderman Perez abstained because he was not present at the September 9, 2009 meeting. The motion passed.

Alderman Perez moved approval of Office No. NH75C0767. Mr. Smuts seconded the motion.

**Office No. NH75C0767 – Julius Paecht v. City of New Haven** – Mr. Salcito summarized the issues regarding this matter to the Committee Members. Mr. Smuts asked if the City has several open cases like this, with injuries dating back to the 1970's. Mr. Roche stated that the City has at least a dozen claims pending from the 70's.

The motion to approve the recommendation passed unanimously.

Mr. Smuts moved approval of Office No. L09-0127. Alderman Perez seconded the motion.

**Office No. L09-0127 - Burnell Burrell v. Mathew Sangirard, et al** – Mr. Roche summarized the issues regarding this matter to the Committee Members. Mr. Rusconi asked what the nature of the City's future protection is. Mr. Roche explained that the City has a moratorium of \$25,000 which is protection against future claims. Mr. Pietrosimone stated that if the costs exceed \$25,000 the City is back in it. Mr. Roche stated that's correct.

The motion to approve the recommendation passed unanimously.

Mr. Smuts moved approval of Office No. L06-0185. Alderman Perez seconded the motion.

**Office No. L06-0185 – Sylvia Harper v. David Runlett, et al** – Attorney Kramer summarized the issues regarding this matter to the Committee Members. Mr. Rusconi asked who does the Independent Medical Examinations. Attorney Kramer stated that in this particular case it was done by Dr. Peter Jokl who felt that the knee surgery was related to this incident.

Mr. Smuts stated that Captain Verrilli did report to Assistant Chief Norwood that he looked into the file to look at past accidents this officer was responsible for, which doesn't always happened. Mr. Smuts also stated that he talked to Mr. Roche and Mr. Barker about institutionalizing this process whenever something like this goes to the Chief for disposition. Alderman Perez requested that officers be reminded, from time to time, of certain things, such as pulling over to use the computer unless there is an emergency going on. Attorney Kramer stated that there is a General Order. Alderman Perez stated that people need to be reminded. Perhaps, once in awhile, during line-ups, General Orders can be reviewed to try to prevent things like this from happening in the future. Mr. Smuts stated that the General Orders are being revised with the intention that during line-ups, they be cycled through and have that be a continued process so that all General Orders, which people should be familiar with, be refreshed throughout the course of the year.

The motion to approve the recommendation passed unanimously.

A motion was made to adjourn the meeting. The motion was seconded and passed unanimously.

The meeting was adjourned at 5:50 p.m.