

**MINUTES OF THE MEETING OF THE  
LITIGATION SETTLEMENT COMMITTEE  
Wednesday, February 24, 2010**

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

**Corporation Counsel Staff Present:** Victor Bolden, Corporation Counsel; Vikki Cooper, Deputy Corporation Counsel; Kathleen Foster, Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant II.

**CIRMA Care Representative:** Michael Trapasso, Esq.  
Mr. Michael Gillon

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

**Meeting Started:** 5:30 p.m.

**Meeting Ended:** 6:12 p.m.

Mr. Rusconi called the meeting to order at 5:30 p.m.

Attorney Piazza moved approval of the minutes of the January 27, 2010 meeting. Alderman Perez seconded the motion. The motion passed. Mr. Smuts and Mr. Pietrosimone arrived after approval of the Minutes.

Attorney Piazza moved approval of Office No. 0019203. Alderman Perez seconded the motion.

**Office No. 0018203 – Frances Golino v. City of New Haven** – Attorney Trapasso summarized the issues regarding this matter to the Committee Members. Attorney Piazza asked what was being waived. Attorney Trapasso stated that everything is being waived, the case is being closed. Alderman Perez asked about the criminal aspect of the case. Mr. Rusconi stated that about two years ago, the City started doing random surveillance of people out on worker's compensation. This was one of those cases that was pursued and presented to the State's Attorney. However, they felt there was not enough evidence to proceed with a criminal charge.

The motion to approve the recommendation passed unanimously.

Mr. Smuts moved approval of Office No. 0010037. Attorney Piazza seconded the motion.

**Office No. 0010037 – Anthony Caprio v. City of New Haven** – Mr. Gillon summarized the issues regarding this matter to the Committee Members. Alderman Perez asked if this case was presented to the Committee previously. Mr. Roche stated yes; this individual had a separate civil matter against the City that was previously presented to this Committee for approval.

The motion to approve the recommendation passed unanimously.

Attorney Piazza moved approval of Office No. L08-0027. Mr. Smuts seconded the motion.

**Office No. L08-0027 - Michelle Clark v. OR & L, Inc., et al** - Mr. Roche summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

The motion to approve the recommendation passed unanimously.

Attorney Piazza moved approval of Office No. L08-0146. Mr. Smuts seconded the motion.

[Mr. Rusconi left the meeting before the vote of Office No. L08-00146]

**Office No. L08-0146 – Edward Stanley v. City of New Haven, et al.** – Attorney Cooper summarized the issues regarding this matter to the Committee Members. Alderman Perez asked about the liability. Attorney Cooper explained that the liability is questionable. There may be some comparative negligence; but most Judges will not find the plaintiff 51% at fault which is required to bar his recovery. The Plaintiff does have some credibility issues; but these things don't affect Judges much and the City could be in a position of paying a lot more should this case go to trial.

The motion to approve the recommendation passed unanimously.

**Office Nos. L08-0295 and L08-0296 - Gerald Fanfarelli v. City of New Haven** – It was recommended that this matter be discussed in Executive Session.

Attorney Piazza moved the Committee enter into Executive Session to discuss Office Numbers L08-0285 and L08-0296 with Corporation Counsel Victor Bolden and Assistant Corporation Counsel Kathleen Foster. Alderwoman DePino seconded the motion.

The Committee entered into Executive Session at 5:50 p.m.

Alderman Perez moved the Committee exit Executive Session. Alderwoman DePino seconded the Motion. The motion passed.

The Committee exited Executive Session at 6:10 p.m.

Attorney Piazza moved approval of Office Nos. L08-0285 and L08-0296. Alderwoman DePino seconded the motion. The motion passed with Mr. Smuts, Alderwoman DePino, Mr. Pietrosimone, and Attorney Piazza voting in favor. Alderman Perez opposed.

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

The meeting was adjourned at 6:12 p.m.