

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, September 14, 2011**

Committee Members Present: Mr. Robert Smuts, Acting Chairman; Alderwoman Arlene DePino; Mr. Michael O'Neil, Acting Controller; and Mr. Joseph Clerkin, Designee for Management and Budget.

Corporation Counsel Staff Present: Victor Bolden, Corporation Counsel; Roderick Williams, Assistant Corporation Counsel; and Nancy Pepe, Legal Assistant.

Outside Counsel: Michael Leone, Esq.
James Segaloff, Esq.
John Rose, Jr., Esq.

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

Meeting Started: 5:32 p.m.

Meeting Ended: 6:00 p.m.

Mr. Smuts called the meeting to order at 5:32 p.m.

Alderwoman DePino moved approval of the minutes of the August 16, 2011 meeting. Mr. Clerkin seconded the motion. The motion passed.

Mr. Clerkin moved approval of Office No. L11-0082. Alderwoman DePino seconded the motion.

Office No. L11-0082 - Robert Moore v. Margarita Bertso – 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.

Office No. Nos. L09-0093, L09-0170, L11-0207 and L08-0175 - Tri-Con Construction v. City of New Haven – It was recommended that this matter be discussed in an Executive Session.

On the advice of Counsel, Alderwoman DePino moved the Committee enter into an Executive Session to discuss Office Nos. L09-0093, L09-0170, L11-0207 and L08-0175 with Attorney Bolden. Mr. Clerkin seconded the motion. The motion passed unanimously.

The Committee entered into Executive Session at 5:35 p.m.

A motion was made to exit Executive Session. The motion was seconded and passed unanimously. The Committee exited Executive Session at 5:40 p.m.

The Committee approved the Recommended Settlement for Office Nos. L09-0093, L09-0170, L11-0207 and L08-0175.

Alderwoman DePino moved approval of Office No. L08-0090. Mr. Clerkin seconded the motion.

Office No. L08-0175 – Calvin Franklin v. City of New Haven, et al. – Attorney Williams summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

The motion to approve the recommendation passed unanimously.

Alderwoman DePino moved approval of Office No. L09-0147. Mr. Clerkin seconded the motion.

Office No. L09-0147 – Whalley Terrace, L.P. v. City of New Haven – Attorney Leone summarized the issues regarding this matter to the Committee Members. Mr. Smuts stated this could be described as a corrected mistake. Attorney Leone stated yes. Mr. Smuts asked if there are any other such possible corrections (meaning the faze-in correction). Attorney Leone stated not to his knowledge.

The motion to approve the recommendation passed unanimously.

Office No. L10-0218 - Pro-Park, Inc., et al v. City of New Haven -It was recommended that this matter be discussed in an Executive Session.

On the advice of Counsel, Mr. Clerkin moved the Committee enter into an Executive Session to discuss Office No. L10-0218 with Attorney Bolden and Attorney Rose. Alderwoman DePino seconded the motion. The motion passed unanimously

The Committee entered into Executive Session at 5:45 p.m.

A motion was made to exit Executive Session. The motion was seconded and passed unanimously. The Committee exited Executive Session at 5:59 p.m.

The Committee approved the rejection of the Plaintiff's Offer of Compromise for Office No. L10-0218.

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

The meeting was adjourned at 6:00 p.m.