

**MINUTES OF THE MEETING OF THE
LITIGATION SETTLEMENT COMMITTEE
Wednesday, October 21, 2009**

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

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

CIRMA Care Representative: Mr. William O'Connell
Mr. Joseph Salcito
Michele Trapasso, Esq.

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

Meeting Started: 5:25 p.m.

Meeting Ended: 5:50 p.m.

Mr. Rusconi called the meeting to order at 5:25 p.m.

Mr. Pietrosimone moved approval of the minutes of the October 7, 2009 meeting. Alderman Perez seconded the motion. Attorney Piazza abstained because he was not present at the October 7, 2009 meeting. The motion passed.

Mr. Pietrosimone moved approval of Office No. 0027228. Alderman Perez seconded the motion.

Office No. 0027228 – Henry Leach v. City of New Haven – Mr. Salcito summarized the issues regarding this matter to the Committee Member. The Committee had no questions.

The motion to approve the recommendation passed unanimously.

Mr. Smuts moved approval of Office No. 0930204738. Attorney Piazza seconded the motion.

Office No. 0930204738 – Axel Negron v. City of New Haven – Mr. O'Connell summarized the issues regarding this matter to the Committee Members. Attorney Piazza asked about the settlement amount. Mr. O'Connell explained that the settlement payment would be for a total of \$110,000 paid over two Fiscal Years. Alderman Perez asked if the City has checked to make sure this individual is not working anywhere. Mr. O'Connell stated that there has been surveillance done and he is not working. Alderman Perez asked about worker compensation cases like this that were sold off by the City. Mr. O'Connell explained that the last Lost Portfolio was done in 1999, since

then the City has transferred approximately 30 widows and permanent disability cases. However, this case was not one of those cases. Mr. Pietrosimone asked about the drug addiction and how that plays into the settlement. Mr. O'Connell explained that the drug addiction problem is not separate from the chronic pain problem, those two things cannot be separated when compromising a settlement.

The motion to approve the recommendation passed unanimously.

Attorney Piazza moved approval of Office No. 0930412911. Mr. Smuts seconded the motion.

Office No. 0930412911 – Maria De Irizarry v. City of New Haven – Attorney Trapasso summarized the issues regarding this matter to the Committee Members. Attorney Trapasso explained that her doctor gave her 20% disability rating to the back and disabled her, but did not release her to any sort of work duty, so the City has someone that has reached maximum medical improvement but, has no work capacity. Attorney Trapasso also stated that the Board of Education did a functional capacity examination and she was terminated in June of 2007. Alderman Perez asked about getting another physician. Attorney Trapasso stated that the City did get another physician who agreed she should go through some pain management as she continues to complain of ongoing back pain. Alderman Perez asked why the City is responsible for injuries sustained from being assaulted in her home. Attorney Trapasso explained that the City is responsible because she was disabled at the time of the assault. While her doctor stated that she was disabled, he refused to comment as to whether the disability was related to the work injury or the assault.

The motion to approve the recommendation passed unanimously.

Alderman Perez moved approval of Office No. 090312131. Mr. Smuts seconded the motion.

Office No. 0930312131 – Joan Caruso v. City of New Haven – Attorney Trapasso summarized the issues regarding this matter to the Committee Members. The Committee had no questions.

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.