



Kenneth W. Jenkins
County Executive

Department of Law

John M. Nonna
County Attorney

OnBase ID #: 112827

March 12, 2026

To: Honorable Members of the
Board of Acquisition and Contract

From: John M. Nonna
County Attorney

Re: Request for Authorization to Settle the Lawsuit of Anne Brown a/k/a Anna Brown v. County of Westchester, et al. in the amount of \$92,500.00.

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit of Anne Brown a/k/a Anna Brown v. County of Westchester, et al in the amount of \$92,500.00, inclusive of counsel fees.

Plaintiff, approximately 70 years old at the time the claim arose, alleges that on February 2, 2021, at about 8:45 a.m., she tripped/slipped and fell due to an slippery and defective condition while walking on the pathway within the County Center parking lot. Plaintiff had parked her car in the County Center parking lot during the Covid vaccination program. The walking paths leading from the parking lot to the County Center had been somewhat cleared of snow and ice as a result of prior precipitation. While plaintiff was walking she followed what appeared to be a portion of the pathway cleared of snow/ice. However, the cleared section actually lead plaintiff to walk off the side of the dedicated path where her foot slipped and stumbled onto an elevation difference between the path and the dirt side adjacent to the path. During the Covid vaccination program, the County retained the responsibility to maintain the parking lot and did have the duty to clear the parking lot of snow and ice during this period.

As a result of this accident, plaintiff suffered a fractured left ulna (arm) where surgery and internal hardware/pins were required. Considering the injury and ancillary damages suffered by plaintiff as well as the County's liability, it is the recommendation of this office that this

matter be settled for \$92,500.00, inclusive of counsel fees. The Commissioner of the County's Department of Parks Recreation and Conservation has been consulted regarding this settlement and agrees that a settlement is in the best interests of the County.

Plaintiff is represented by Aaron Loloey, Esq., 3000 Marcus Avenue, Suite 3W6, Lake Success, New York 11042

JMN:jaf

APPROVED BOARD OF ACQUISITION & CONTRACT - 03/26/2026 - RAYMOND SCULKY, SECRETARY

