

112742

DATE: December 22, 2025

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 *Savian Denzel Kirton v. John Doe, Sergeant, Emergency Response Team, et al.*

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit entitled *Savian Denzel Kirton v. John Doe, Sergeant, Emergency Response Team, et al.*, for \$55,000 if accepted by plaintiff, or \$50,000 inclusive of attorneys' fees.

Plaintiff filed his Second Amended Complaint on April 26, 2023 against three defendants, "John Doe," Sergeant, Emergency Response Team; 2) Cardillo, Correction Officer, Emergency Response Team; and 3) "John Doe," Correction Officer, Emergency Response Team. After our summary judgment motion, the plaintiff's only remaining claim is Fourteenth Amendment excessive force against the correction officers on the Emergency Response Team who responded to an inmate on inmate fight and restrained and Plaintiff when he was in .

Plaintiff has been representing himself pro se until this point, but he has indicated to the Federal Court Magistrate Judge that he plans to retain a lawyer for trial of this matter.

In light of the nature of Plaintiff's claim, it is believed that a settlement of this suit for a payment of \$55,000 if he accepts, or \$50,000 inclusive of attorneys' fees, is in the best interests of the County.

Enclosure

RESOLUTION

Upon the communication of the County Attorney, it is hereby:

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of *Savian Denzel Kirton v. John Doe, Sergeant, Emergency Response Team, et al.* by payment from the County of Westchester to Savian Denzel Kirton in an amount not to exceed \$55,000; and it is further

RESOLVED, that the County Attorney or his designee is authorized to execute any documents necessary to implement this resolution.

Account to be
Charged/Credited

Fund	Dept.	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
615	59	0700/4450	4280/04		\$55,000.00

Budget Funding Year(s): 2020
(must match resolution)

Start Date: 1/1/2020 End Date: 12/31/2020

Funding Source

Tax Dollars: _____

State Aid: _____

\$ 55,000.00

Federal Aid: _____

(must match resolution)

Other: Self-Insurance Retention 6N