

OnBase ID #: 111143

May 15, 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 M.R., an infant, by her mother and natural guardian, Rita Rabadi against County of Westchester, City of Rye, Standard Amusements LLC, United Parks Holdings LLC, Dragon Partners, LLC and Rye Playland a/k/a Playland Amusement Park in the amount of \$135,000.00.

Attached for your consideration is a resolution which, if approved by your Honorable Board, would authorize settlement of the lawsuit, M.R., an infant, by her mother and natural guardian, Rita Rabadi, against the County of Westchester, City of Rye, Standard Amusements LLC, United Parks Holdings LLC, Dragon Partners, LLC and Rye Playland a/k/a Playland Amusement Park in the amount of \$135,000.00, inclusive of attorney's fees.

Rita Rabadi, mother and natural guardian of infant M.R, brought this personal injury action against the County alleging that the County was negligent in its operation of the Kiddy Boat ride at Rye Playland Amusement Park on August 25, 2021, in that her infant daughter was caused to slip and fall on an unsecured box present on the outside floor of the ride. The incident occurred as she exited the ride upon the direction of the ride attendant. The facts establish that after she slid down the unsecured box at the base of the ride at about 3:00 p.m., she fell on the box, and then the infant was subsequently caused to straddle the box and land on the floor, primarily injuring her vaginal area. The infant was five years old at the time of the incident. After receiving some minor treatment at the park's first aid station, the infant child was taken by ambulance to White Plains Hospital, whereupon she underwent surgery to the vaginal area in order to repair and suture a vaginal laceration sustained as a result of her fall. As a result of the incident, plaintiff alleges that her daughter sustained trauma to her vaginal area, including multiple lacerations, vaginal scarring, an overnight hospital stay, sensitivity, shock, difficulty walking, emotional injuries involving the development of her vaginal area and alleged future potential for sexual dysfunction. As a result of the incident, plaintiff alleges that the County allowed the Kiddyland Boat Ride to be dangerous, unstable, unsecured, allowing a trap/hazard to exist, and in failed to take precautions to avoid the incident which was foreseeable.

At the time of the incident, the box that was underneath the ride, was unsecured to the floor and as the infant plaintiff exited the ride upon the ride attendant's direction, the box moved upon the floor, and the infant slid across the floor injuring her vaginal area, while straddling the box. In light of the facts, the infant's age, and the significant fact that the box was unsecured, coupled with the ride attendant's directing the plaintiff to exit the ride, the County determined that it was prudent to settle this matter prior to trial, as it is definitely likely that the County will be found negligent and liable for the infant's injuries. The plaintiff's expert opined that the injuries that the infant sustained were permanent in nature and also that they affected the infant psychologically for the foreseeable future.

Plaintiff parent Rita Rabadi is being represented by Greg Martello Esq., Martello & LaMagna P.C., 100 Quentin Roosevelt Boulevard, Ste. 511, Garden City, New York 11530.

/TAL

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/29/2025 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon the communication of the County Attorney; it is hereby

RESOLVED, that the County Attorney is hereby authorized to settle the lawsuit of M.R.,
an Infant by her Mother & Natural Guardian, RITA RABADI v. COUNTY OF
WESTCHESTER, et al. – Index #68044/2022 in the amount of \$135,000; and be it 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	0701/ 4510	4280/ 04		\$135,000

Budget Funding Year(s) 2021 Start Date 1/1/2021 End Date 12/31/2021
(must match resolution)

Funding Source Tax Dollars _____

State Aid _____

\$ 135,000 Federal Aid _____

(must match resolution)

Other 6N Fund