



Memorandum
Office of the County Attorney

OnBase ID #: 111902

October 3, 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 Dwan Prince v. Cardinal McCloskey School and Home for Children, Josh Reynolds, Greg Masterdale, The City of White Plains, The City of New York, Westchester County Department of Social Services, Rhonda Trafagenue et. al. (New York County Supreme Court Index 453952/2021), in the amount of \$50,000.00, inclusive of attorney's fees.

Attached for your consideration is a resolution, which, if approved by your Honorable Board, would authorize settlement of all claims alleged against the Westchester County Department of Social Services within the lawsuit entitled Dwan Prince v. Westchester County Department of Social Services ("DSS") et. al. (New York County Supreme Court Index 453952/2021), in the amount of \$50,000.00, inclusive of attorney's fees. As discussed below, an early settlement would be an effective resolution in this matter as the County will not be able to rebut the factual allegations by Plaintiff concerning the abuse he suffered while under the care of DSS between 1990 and 1991.

Enacted in 2019, the Child Victims Act ("CVA") expanded the legal rights for individuals who experienced childhood sexual abuse. The statute extended the civil statute of limitations, allowing survivors to file lawsuits against both abusers and institutions until age 55, and extended the criminal statute of limitations until age 28. Importantly, the CVA also created a temporary "lookback window," which permitted survivors of any age to bring previously time-barred claims. This law was designed to provide long-denied access to justice for survivors, hold institutions accountable, and acknowledge the unique barriers that prevent many victims of childhood abuse from coming forward until later in life. In this case, Plaintiff alleges that while in the custody and care of DSS and Cardinal McCloskey, he was subjected to sexual abuse by his peers. He contends that reports of abuse were made to facility staff and his DSS caseworker, but that appropriate action was not taken to ensure his safety, resulting in further harm.

Settlement is appropriate in light of the legal and evidentiary issues presented in this matter. Specifically, questions exist regarding whether the County had actual notice of the alleged abuse, and the caseworker who was directly assigned to Plaintiff is now deceased. These factors, combined with the seriousness of the allegations and the risks of continued litigation, weigh in favor of resolution through settlement rather than trial.

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/03/2025 - 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 Dwan Prince v. Cardinal McCloskey School and Home for Children, Josh Reynolds, Greg Masterdale, The City of White Plains, The City of New York, Westchester County Department of Social Services, Rhonda Trafagenue et. al. (New York County Supreme Court Index 453952/2021), by payment from the County of Westchester to the law office of Jaroslawicz & Jaros, PLLC, in an amount not to exceed \$50,000.00; and it is further

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

Original Agreement	\$
First Amendment	\$
This Amendment	\$ _____
TOTAL	\$

Account to be
Charged/Credited

Fund	Dept	Unit / Sub-Unit	Object	Trust Account	Dollars
615	59	0550 / 1450	4280 / 04		50,000.00

Budget Funding Year(s) _____ Start Date 1/1/1990 End Date 12/31/1990
(must match resolution)

Funding Source

Tax Dollars _____

State Aid _____

\$ 50,000.00

Federal Aid _____

(must match resolution)

Other __ 6N fund __ **\$50,000.00** _____