

**RESOLUTION R-2019-32
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Approving the Settlement of
Pending Litigation in the Matter of Donna Magni v. Luzerne County, et al.*

WHEREAS, Section 4.07.B.3 of the Luzerne County Home Rule Charter provides the County Manager shall have the authority to recommend the settlement of litigation involving the County, subject to the approval of County Council; and

WHEREAS, Section 2.09.B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to settle litigation involving the County; and

WHEREAS, Plaintiff, Donna Magni, filed a Complaint against Luzerne County alleging she was wrongfully terminated from her position in the Luzerne County Division of Budget and Finance on January 31, 2014;

WHEREAS, the attorneys for all the parties agree to settle all of the claims;

WHEREAS, the Luzerne County Manager has recommended settlement of the above-captioned litigation; and

WHEREAS, Luzerne County Council also desires to resolve the pending litigation in this matter.

NOW, THEREFORE, BE IT RESOLVED, the Luzerne County Council approves the settlement of pending litigation for all claims asserted by Donna Magni against Luzerne County in the amount of \$150,000.00 which includes contributions from Luzerne County's insurance carrier. This settlement is a full and complete settlement and release of any and all claims by Donna Magni against the County of Luzerne with no admission of wrongdoing.

This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held January 22, 2019.

ROLL CALL VOTE (8-0)

YES: Haas, Houck, Kelleher, McGinley, Perry, Saidman, Schnee and Waitkus

Attest: _____

Sharon Lawrence, Clerk of Council



LUZERNE COUNTY COUNCIL

By: Tim McGinley
Tim McGinley, Chair

LUZERNE COUNTY MANAGER

By: C. David Pedri
C. David Pedri, Esq., County Manager