

**RESOLUTION R-2020-44
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Approving the Settlement of
Pending Litigation in Brizzy v. Luzerne County Children and Youth Services, 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, Leah Brizzy filed suit against Luzerne County Children & Youth Services (hereinafter "CYS"); and

WHEREAS, the basis of the Complaint was an alleged Section 1983 civil rights claim alleging that CYS violated Plaintiff's due process rights by removing a minor child from Plaintiff's care; and

WHEREAS, Plaintiff has agreed to settle her claims against Luzerne County; and

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 against Luzerne County Children and Youth Services in the matter of *Brizzy v. Luzerne County Children & Youth Services, et. al.* for the amount of \$35,000.00. This settlement is a full and complete settlement and release of any and all claims Leah Brizzy has against Luzerne County.

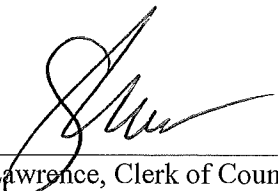
This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held February 25, 2020.


ROLL CALL VOTE (10-1)

YES: Haas, Houck, McDermott, McGinley, Perry, Radle, Saidman, Schnee, SJUrban and Vough

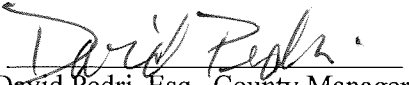
NO: Griffith

Attest: 
Sharon Lawrence, Clerk of Council

LUZERNE COUNTY COUNCIL

By: 
Tim McGinley, Chair

LUZERNE COUNTY MANAGER

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