

**RESOLUTION R-2017-45
LUZERNE COUNTY COUNCIL**

***A Resolution by the Luzerne County Council Approving the Settlement of Pending Litigation
in the Matter of Y. Judd Shoval v. Walter L. Griffith, Jr. and The County of Luzerne,
Pennsylvania and Approving the Initiation of Litigation Against Walter L. Griffith, Jr.***

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, On January 14, 2013, Y. Judd Shoval filed a two (2) count complaint alleging a violation of the Pennsylvania Wiretapping and electronic Surveillance Control Act and a common law claim for invasion of privacy against Walter L. Griffith, Jr. and Luzerne County.

WHEREAS, the basis of the Complaint was the unauthorized recording of a telephone conversation between Plaintiff and then Luzerne County controller Walter L. Griffith on March 29, 2011; and

WHEREAS, Y. Judd Shoval has agreed to settle his 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 in the matter of Y. Judd Shoval v. Walter L. Griffith, Jr. and The County of Luzerne, for the amount of \$12,000.00. This settlement is a full and complete settlement and release of any and all claims Y. Judd Shoval has against Luzerne County.

BE IT FURTHER RESOLVED, Luzerne County Council, upon recommendation of the Luzerne County Manager, also authorizes the initiation of litigation pursuant to its powers under section 2.09.B.5. of the Home Rule Charter against Walter L. Griffith Jr. to recover all damages and costs associated with the aforementioned causes of action.

This resolution shall become effective six days after adoption.

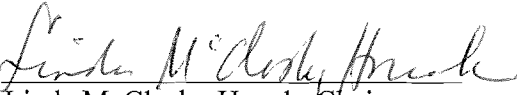
ADOPTED at a meeting of the Luzerne County Council held March 21, 2017.

ROLL CALL VOTE (7-4)

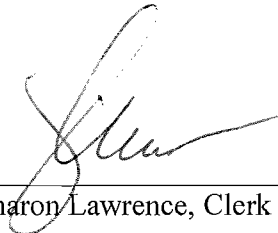
YES: Haas, Kelleher, McGinley, Schnee, Waitkus, Williams, and Houck.

NO: Brominski, Dobash, Sorokas, and SA Urban


LUZERNE COUNTY COUNCIL

By: 
Linda McClosky Houck, Chair

Attest:


Sharon Lawrence, Clerk of Council

LUZERNE COUNTY MANAGER

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