

**RESOLUTION R-2017-62  
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Confirming the Settlement of Pending Litigation in the Matter of Nichole Puscavage, Individually and as Administratrix of the Estate of Anthony L. Puscavage, and Anthony Cook, Individually v. Luzerne County Children and Youth Services and Luzerne County.*

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, the Luzerne County Manager has recommended settlement of the above-captioned litigation; 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, Nichole Puscavage, Individually and as Administratrix of the Estate of Anthony L. Puscavage, and Anthony Cook, Individually brought suit against Luzerne County Children and Youth Services and Luzerne County on January 11, 2016, filed to No. 3:16-CV-00035-UN2; and

WHEREAS, Plaintiffs brought suit against Luzerne County Children and Youth Services and Luzerne County alleging a violation of 42 U.S.C.A. Section 1983; and

WHEREAS, the parties desire to settle his claims against Luzerne County Children and Youth Services and Luzerne County; 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 confidential settlement of pending litigation for all claims asserted against Luzerne County Children and Youth Services and Luzerne County in the matter of Nichole Puscavage, Individually and as Administratrix of the Estate of Anthony L. Puscavage, and Anthony Cook Individually v. Luzerne County Children and Youth Service and Luzerne County, in an amount that is Confidential Pursuant to Order of Court. This settlement is a full and complete settlement of any and all claims Plaintiffs herein have against Luzerne County, and payments of said settlement shall be borne by the insurance carriers insuring Luzerne County Children and Youth Services and Luzerne County.


This resolution shall become effective six days after adoption.

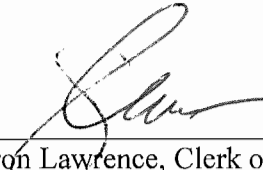
ADOPTED at a meeting of the Luzerne County Council held April 25, 2017.

ROLL CALL VOTE (10-0)

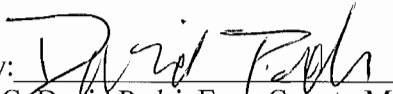
YES: Brominski, Dobash, Haas, Kelleher, McGinley, Schnee, Sorokas, Waitkus, Williams, and Houck

LUZERNE COUNTY COUNCIL

By:   
Linda McClosky Houck, Chair

Attest:   
Sharon Lawrence, Clerk of Council

LUZERNE COUNTY MANAGER

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