



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

October 22, 2025

Westchester County Board of Legislators
County of Westchester
800 Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Re: Request for authorization to settle the lawsuit of Darrell W. Roberts v. Liberty Lines Transit, Inc., in the Supreme Court, Bronx County, in the amount of \$500,000., inclusive of attorney's fees

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if enacted by your Board, would authorize the settlement of the lawsuit entitled, Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, in Bronx County Supreme Court, Index No. 20424/2013E.

This claim tentatively settled on September 8, 2025 in the amount of \$500,000. pending this Board's approval, of which the County will pay only the \$250,000 self-insured retention in the County's insurance policy.

This matter is pending in the Bronx County Supreme Court. The law firm of Bernstein & Bernstein, 599 West Hartsdale Avenue, White Plains, New York is representing the plaintiff. The law firm of Cascone & Kluepfel, 497 Main Street, Farmingdale, New York 11735 is representing the County.

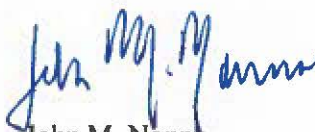
This matter arises out of a Liberty Lines Bus incident that occurred on September 4, 2012. The circumstances of this incident consist of a pedestrian knockdown that occurred at the bus depot located in White Plains. Mr. Roberts was allegedly struck by the side mirror of the bus as he stood on the sidewalk at the bus depot. Ultimately, Mr. Roberts underwent a partial fusion of the cervical spine from C3-C6 on February 26, 2014 at Mt. Sinai Hospital.

Plaintiff moved for and was granted summary judgment against the County on liability by Order dated 11/18/13. However, the County appealed and by Order dated 11/30/15, Justice Gonzalez decided correctly that the plaintiff's credibility must be determined by a jury. The 11/18/13 Order was vacated and summary judgment was reversed.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings, and potential appeal. Both outside counsel and our insurance companies recommend this settlement. The County will only pay the \$250,000 self-insured retention in its insurance policy and the County's insurer will pay the \$250,000. balance.

The accompanying Act will authorize settlement of the lawsuit entitled, Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, in Bronx County Supreme Court, Index No. 20424/2013E, in the amount of \$500,000.00, inclusive of attorney's fees.

Very truly yours,



John M. Nonna
County Attorney

JMN/mg

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the County's potential liability in the lawsuit entitled, Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, Bronx County Supreme Court, Index No. 20424/2013E, in the amount of \$500,000, inclusive of attorney's fees.

This matter is pending in the Bronx County Supreme Court. This claim tentatively settled on September 8, 2025 in the amount of \$500,000. pending this Board's approval, of which the County will only pay the \$250,000 self-insured retention in the County's insurance policy.

This matter arises out of a Liberty Lines Bus incident which occurred on September 4, 2012. The circumstances of this incident consist of a pedestrian knockdown that occurred at the bus depot located in White Plains. Mr. Roberts was allegedly struck by the side mirror of the bus as he stood on the sidewalk at the bus depot.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings, and potential appeal. Both outside counsel and our insurance companies recommend this settlement.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled, Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, in Bronx County Supreme Court, Index No. 20424/2013E, in the amount of \$500,000, inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

, 2025

COMMITTEE ON:

ACT NO. -2025

AN ACT authorizing the County Attorney to settle the lawsuit entitled, Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, Bronx County Supreme Court, Index No. 20424/2013E.

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit entitled Darrell W. Roberts v. Liberty Lines Transit, Inc., et al, Bronx County Supreme Court, Index No. 20424/2013E, in the amount of \$500,000, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Darrell W. Roberts v. LLT, Inc.

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☒	GENERAL FUND
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☒ AIRPORT FUND☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	\$	250,000
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Total Current Year Revenue	\$	-
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Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: Fund 101 Org 44 Unit 2100 Object 4924

Potential Related Operating Budget Expenses:	Annual Amount	\$250,000
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Describe: Settlement of lawsuit of Darrell W. Roberts v. Liberty Lines Transit, Inc., et al.

(one-time)

Potential Related Operating Budget Revenues:	Annual Amount
1. Sales Tax	\$1,000,000
2. Property Tax	\$2,000,000
3. Other	\$500,000
Total	\$3,500,000

Describe:

Anticipated Savings to County and/or Impact on Department Operations:

Current Year:

Next Four Years:

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: October 23, 2025

Reviewed By:

DV 10.23.25

Budget Director

Date:

10/23/25