

Litigation Meeting Agenda



Committee Chair: David Imamura

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Tuesday, March 10, 2026

1:00 PM

Committee Room

Joint w/B&A

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566.

MINUTES APPROVAL

Monday, February 9, 2026 at 10:00 a.m.

Monday, March 2, 2026 at 10:00 a.m.

I. ITEMS FOR DISCUSSION

1. [2026-106](#) ACT - Lawsuit Settlement of Pellis v. Russo

AN ACT authorizing the settlement of Craig Pellis v. Vincent R. Russo in the amount of TWO HUNDRED THOUSAND (\$200,000) DOLLARS inclusive of attorney's fees.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LITIGATION

Guest: Law Dept.: County Attorney John Nonna

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

February 20, 2026

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

Re: An Act authorizing the County of Westchester to settle the claims against Officer Vincent R. Russo in the action filed in the United States District Court for the Southern District of New York entitled Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y.), in the amount of \$200,000.00, inclusive of attorneys' fees.

Dear Honorable Members of the Board:

Attached for your review is proposed legislation that, if enacted, would authorize settlement of the lawsuit of Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y.) in the amount of \$200,000.00, inclusive of attorneys' fees. Plaintiff Craig Pellis is represented by Edward Sivin, Esq. of Sivin, Miller & Roche LLP, 20 Vesey Street, New York, NY. He brought this action pursuant to 42 U.S.C. § 1983 ("Section 1983") against Westchester County Department of Public Safety ("DPS") officer Vincent R. Russo.

On June 23, 2023, Plaintiff, a 58-year-old caterer from Mt. Kisco, N.Y., was having a medical emergency, prompting his wife to call 911. Specifically, his wife saw him shaking, presenting like he was having a seizure, and then unresponsive. When EMS arrived, they had difficulty waking him up, but he gradually became more alert. He was very confused, agitated and aggressive. Defendant Officer Russo and another DPS officer arrived at the scene, and Officer Russo rear handcuffed Plaintiff. Plaintiff was then seated in a chair and subsequently placed on a stretcher while handcuffed from behind. Eventually, the handcuffs were removed, and visible marks on his wrists were evident.

Plaintiff's wife subsequently filed a complaint with the NYS Attorney General's office accusing Officer Russo and the other responding officer of abuse of authority, improper use of force and wrongful search. The AG's office referred the complaint to the Westchester County

Department of Public Safety SIU in November 2023, and SIU interviewed all parties. DPS issued a formal reprimand of Officer Russo after their investigation.

Plaintiff subsequently filed this Section 1983 action in federal court against Officer Russo in his individual capacity, alleging: (1) Officer Russo used excessive force against him by rear handcuffing him, failing to double-lock the handcuffs, and placing him in a supine position; and (2) Officer Russo acted with deliberate indifference to his serious medical needs. The case was immediately placed in the Southern District of New York's 1983 Plan, assigned to mediation, and the limited discovery mandated pursuant to the Plan was exchanged. Mediation was conducted on November 25, 2025, which was unsuccessful but prompted further private settlement discussions.

With regard to damages, in addition to scarring, Plaintiff claims to have sustained nerve damage in both wrists, resulting in neuropathy, and emotional injuries.

In light of the claims alleged, documents produced and a review of the bodycam video of the incident, we recommend settling this action for \$200,000.00. The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal and, in the event the Plaintiff is successful following a jury trial, the payment of Plaintiff's counsel's fees. The accompanying Act will authorize settlement of the lawsuit entitled Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y.), in the amount of \$200,000.00, inclusive of attorney's fees.

Very truly yours,


John M. Nonna
County Attorney

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 lawsuit Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y. 2025) (KMK), in the amount of \$200,000.00, inclusive of attorney's fees.

This matter is pending in the United States District Court for the Southern District of New York before Honorable Kenneth M. Karas. The lawsuit tentatively settled, pending this Board's approval, for a total amount of \$200,000.00, inclusive of attorney's fees.

Edward Sivin, Esq. of Sivin, Miller & Roche LLP, 20 Vesey Street, New York, NY is representing the Plaintiff.

On June 23, 2023, Plaintiff, a 58-year-old caterer from Mt. Kisco, NY, was having a medical emergency, prompting his wife to call 911. Specifically, his wife saw him shaking, presenting like he was having a seizure, and then unresponsive. When EMS arrived, they had difficulty waking him up, but he gradually became more alert. He was very confused, agitated and aggressive. Defendant Officer Russo and another Westchester County Department of Public Safety ("DPS") officer arrived at the scene, and Officer Russo rear handcuffed Plaintiff. Plaintiff was then seated in a chair and subsequently placed on a stretcher while handcuffed from behind. Eventually, the handcuffs were removed, and visible marks on his wrists were evident.

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The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a jury trial and, in the event Plaintiff is successful following a jury trial, the payment of Plaintiff's counsel's fees. The accompanying Act will authorize settlement of the lawsuit entitled Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y. 2025) (KMK), in the amount of \$200,000.00, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney to settle the above-referenced lawsuit. An affirmative vote by a majority of the Board is required to pass this Act.

Dated: White Plains, New York
February 20, 2026

COMMITTEE ON

AN ACT authorizing the settlement of the lawsuit Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y. 2025) (KMK), pending in the U.S. District Court for the Southern District of New York in the amount of \$200,000.00, inclusive of attorney's fees.

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

1. The County Attorney is authorized to settle the lawsuit of Craig Pellis v. Vincent R. Russo, 25-cv-3720 (S.D.N.Y. 2025) (KMK), pending in the U.S. District Court for the Southern District of New York in the amount of \$200,000.00, inclusive of attorney's fees.
2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose hereof.
3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Pellis, Craig NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 200,000

Total Current Year Revenue \$ -

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: 6N Fund: 615 59 0703 4750 4280 04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Public Official Liability Settlement of Pellis, Craig G230181

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

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

Current Year: N/A

Next Four Years: N/A

Prepared by: Loren Zeitler

Title: Senior Assistant County Attorney

Department: Law

Date: February 20, 2026

Reviewed By: *[Signature]*
PH

Budget Director

Date: 2/20/26