



Kenneth W. Jenkins  
County Executive

Office of the County Attorney

John M. Nonna  
County Attorney

October 27, 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 LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, for the amount of \$200,000.00, 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 of LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in the Supreme Court Westchester County, Index No. 61952/2022, for the amount of \$200,000.00 , inclusive of attorney's fees.

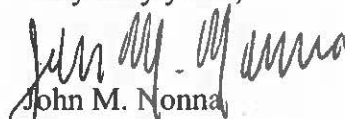
This is a bicycle-related accident that occurred on April 7, 2021, at approximately 3:00 p.m. Plaintiff Lynne Hoffman was riding her bicycle when she entered a section of the roadway that was in an alleged state of disrepair. Plaintiff alleges she hit a pothole with her front tire and was caused to fall off her bicycle suffering physical injuries.

The Law Department consulted with the County's Department of Public Works and Transportation and decided a settlement of plaintiff's claims would be in the best interests of the County of Westchester.

Under the factual and legal circumstances regarding this matter, the settlement is reasonable and is recommended.

Therefore, I am respectfully requesting that this Honorable Board pass the accompanying Act authorizing the settlement of these claims.

Very truly yours,

  
John M. Nonna  
County Attorney

JMN/jf

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 of LYNNE HOFFMAN and JEROME P.

SILVERMAN, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, inclusive of attorney's fees.

The matter arises from a bicyclist's fall while riding on the Heathcote Bypass, a County-designated roadway located in the Village of Scarsdale. The accident occurred on April 7, 2021, at approximately 3:00 p.m. Plaintiff Lynne Hoffman was riding her bicycle when she entered a section of the roadway that was in an alleged state of disrepair. Plaintiff hit a pothole with her front tire that caused her to fall from the bicycle and suffer personal physical injuries of a permanent nature. Plaintiff's husband filed loss of consortium claims against the County as well.

This settlement takes into consideration the factual allegations, the nature of plaintiffs' injuries, and the County's issues regarding prior notice and the duty to maintain and repair the accident location. It is likely that if this matter were to proceed to trial the County would be found liable for plaintiffs' injuries and expose the County to a substantial monetary verdict.

Under the circumstances, the County Attorney's Office engaged in protracted negotiation with plaintiffs and the Court's assistance to arrive at this settlement.

Plaintiffs are represented by Daniel Heyman, Esq., 500 Summit Lake Drive, Valhalla, New York 10595, and Ellen M. Hoffer, Esq., 500 Mamaroneck Avenue, Harrison, New York 10528.

The accompanying Act will authorize settlement of the lawsuit entitled LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, and the attached Act, and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, 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 of LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, 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:

Section 1. The County Attorney is authorized to settle the lawsuit LYNNE HOFFMAN and JEROME P. SILVERMAN v. THE COUNTY OF WESTCHESTER, in Supreme Court Westchester County, Index No. 61952/2022, in the amount of \$200,000.00, 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: Lawsuit Settlement: Lynne Hoffman

☐ 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 ORG: 59 Unit/subunit: 0701/4510 Object/sub object: 4280/04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Settlement of General Liability Claim G210037 Hoffman, Lynne

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: John Fico

Title: Deputy County Attorney

Department: Law

Date: October 23, 2025

Reviewed By: PH

Budget Director

Date: 10/27/25