



**Kenneth W. Jenkins**  
County Executive

**Office of the County Attorney**

**John M. Nonna**  
County Attorney

August 21, 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 Richard Fields v The County of Westchester, Westchester Community College et al. in Supreme Court Westchester County, Index No. 50797/2016, in 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 Richard Fields v The County of Westchester, Westchester Community College et al. in Supreme Court Westchester County, Index No. 50797/2016, in the amount of \$200,000.00, inclusive of attorney's fees with the County contributing \$180,000.00 and Faculty Student Association contributing \$20,000.00.

This matter is pending in the Westchester County Supreme Court before the Honorable William J. Giacomo. The lawsuit tentatively settled, pending this Board's approval for a total amount of \$200,000.00 inclusive of attorney's fees with the County contributing \$180,000.00 and Faculty Student Association contributing \$20,000.00.

Carolyn V. Minter, Esq., 79 Croton Avenue, Ossining, New York, 10562, represents the plaintiff. The County defendants are represented by our outside counsel Joseph Slaughter Esq. of the Law Offices of Joseph Slaughter, 790 Riverside Drive, New York, New York 10032. Faculty Student Association is represented by John Flannery Esq. of Wilson Elser Moskowitz Edelman & Dicker, 1133 Westchester Avenue, White Plains, New York 10604.

This matter arises out of a transcript forgery scandal involving Westchester Community College ("WCC") which first came to light in October 2014. Plaintiff was an assistant basketball coach at "WCC" from approximately 2010 to October 2014. The individual

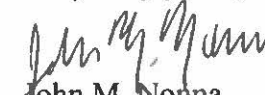
defendants named in the Complaint, David Swope, Joseph Hankin, John Flynn, and Patrick Hennessey, were senior officers of the College during the relevant period of time. When the College became aware of the allegations they began an investigation and initial suspicions as to who was responsible for the forgery centered on plaintiff. Within days of the allegations surfacing the investigation was taken over by the New York State Inspector General's Office. Several days later, in response to press inquiries, the College's press officer, Patrick Hennessey, disclosed to the public the results of the College's preliminary investigation. He reported that the plaintiff was responsible for the forgery and had been fired. The Inspector General's Office conducted a year long investigation culminating in fraud charges being brought against head basketball coach Tyrone Mushatt and no charges against plaintiff.

Plaintiff subsequently brought this action alleging defamation and intentional infliction of emotional distress against the College, senior members of its administration and Board of Trustees, and the County, based on Hennessey's statements to the press. He also asserts wrongful termination claims against Defendant Faculty Student Association.

Plaintiff claims that the County officials negligently caused a false statement to be published and that statement caused harm to his reputation from which he has never recovered.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, the exposure to a substantial jury verdict, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled of Richard Fields v The County of Westchester, Westchester Community College et al. in Supreme Court Westchester County, Index No. 50797/2016, in the amount of \$200,000.00, with the County contributing \$180,000.00 and Faculty Students Association contributing \$20,000.00, inclusive of attorney's fees.

Very truly yours,

  
John M. Nonna  
County Attorney

JMN/jhf

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 Richard Fields v The County of Westchester, Westchester Community College et al, in the amount of \$200,000.00, inclusive of attorney's fees, with the County contributing \$180,000.00 and Faculty Student Association contributing \$20,000.00.

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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 Richard Fields v The County of Westchester, Westchester Community College, in the amount of \$200,000.00, inclusive of attorney's fees with the County contributing \$180,000.00 and Faculty Student Association contributing \$20,000.00. 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 Richard Fields v The County of Westchester, Westchester Community College et al., Westchester County Supreme Court Index No. 50797/2016, in the amount of \$200,000.00, inclusive of attorney's fees with the County contributing \$180,000.00 and Faculty Services Association contributing \$20,000.00.

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 of Richard Fields v The County of Westchester, Westchester Community College et al., in the amount of \$200,000.00, inclusive of attorney's fees with the County contributing \$180,000.00 and Faculty Services Association contributing \$20,000.00.

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:Fields, Richards

☐ 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 \$ 180,000

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 0694 3850 4280 04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Public Official Liability Settlement of Fields, Richards G140180

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: Jane Hogan-Felix

Title: Assistant Chief Deputy County Attorney

Department: Law

Date: August 22, 2025

Reviewed By: 

MM

Budget Director

Date: 8/22/25