

## ACT 13 - 2026

### 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 litigation between Chevor Pompey (“Plaintiff”) and the County, as set forth below.

Your Committee is informed that Plaintiff, a former employee of the County, commenced this action against the County and individual defendants, alleging discrimination and retaliation relating to a failure to promote him during his tenure with the County. Following discovery, the District Court granted partial summary judgment to the Defendants, dismissing several of Plaintiff’s claims and theories. The District Court found that Plaintiff had no direct evidence of discrimination by any individual defendant. Instead, the District Court limited Plaintiff’s discrimination claim to a “cat’s paw” theory of discrimination based on Plaintiff’s allegations that a non-defendant supervisor discriminated against him, and that supervisor’s discriminatory animus caused him to not be promoted. With respect to Plaintiff’s retaliation claim, the District Court limited the claim to a question of whether a supervisor’s cancelling of a meeting regarding a promotional track, in response to an email threatening litigation, was sufficiently chilling, when the department head, the same day, offered to meet with Plaintiff regarding the issues presented. Trial on these remaining issues is scheduled to begin April 13, 2026.

Your Committee is further informed that On January 22, 2026, the parties appeared for a settlement conference before U.S. Magistrate Judge Judith McCarthy. The parties negotiated in good faith, and were able to reach the proposed settlement being presented here. The settlement dismisses all claims against the individual defendants, and admits that there is no claim that they directly

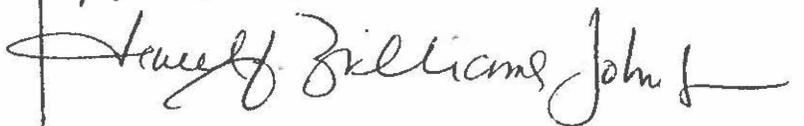
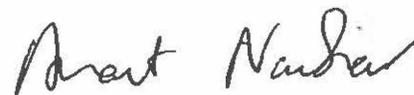
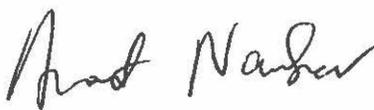
discriminated against him. With respect to the County, there is no admission of liability. The County will pay \$200,000 in full settlement of this action, including all costs, expenses, and attorneys' fees.

Your Committee is advised that the County has been ably represented in this matter by Lalit Loomba at the Quinn Law Firm; to go forward to trial, the County will incur a significant amount of additional attorneys' fees, as well as expert witness expenses relating to Plaintiff's damages. The County Attorney's Office further advises that, while the County believes that Plaintiff's claims have no merit, there are always risks going forward to trial. Further, given the nature of Plaintiff's claims, were he to prevail at trial, he would be entitled to an award of attorneys' fees and costs, even if a judgment was relatively modest. As such, while the chance of exposure may be small, the size of the potential monetary exposure could be high.

The County Attorney's Office has recommended approval of the settlement. Your Committee concurs with this recommendation and recommends that this Honorable Board adopt the proposed Act.

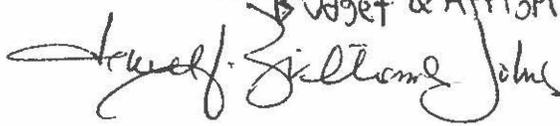
Dated: White Plains, New York

February 9<sup>th</sup> 2026



Budget & Appropriations

Litigation



COMMITTEE ON

ACT NO. 13 - 2026

AN ACT authorizing the County Attorney to settle the lawsuit of *Pompey v. Westchester County, New York, et al.*, pending in the United States District Court for the Southern District of New York, Case No. 23-cv-9337

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

Section 1. The County Attorney is hereby authorized to settle the proceeding entitled *Pompey v. Westchester County, New York, et al.*, pending in the United States District Court for the Southern District of New York, Case No. 23-cv-9337 in the amount of \$200,000, inclusive of all costs and attorneys' fees.

Section 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 purposes hereof.

Section 3. This Act shall take effect immediately.

# FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Pompey, Chevor  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 0701 4510 4280 04

Potential Related Operating Budget Expenses: Annual Amount \_\_\_\_\_

Describe: Lawsuit Settlement: Pompey, Chevor

Potential Related Operating Budget Revenues: Annual Amount \_\_\_\_\_

Describe: \_\_\_\_\_

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

Current Year: \_\_\_\_\_

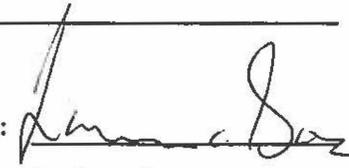
Next Four Years: \_\_\_\_\_

Prepared by: Christina Rampata

Title: Deputy Budget Director

Department: Budget

Date: February 2, 2026

Reviewed By: 

Budget Director

Date: 2/2/26

STATE OF NEW YORK            )  
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WESTCHESTER COUNTY        )

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 13 - 2026, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on February 9, 2026, and approved by the County Executive on February 10, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 12<sup>th</sup> day of February, 2026.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

