

The City Council  
Niagara Falls, New York

Date: December 5, 2019

RE: Request for Approval to Settle and Pay Claim of Frank Esposito c/o Phillips Lytle LLP, One Canalside, 125 Main Street, Buffalo, NY 14203

Council Members:

Date Claim Filed:	May 16, 2012
Date of Occurrence:	February 19, 2012
Location:	Niagara Falls Police Department
Nature of Claim:	Personal injuries allegedly sustained during arrest of Plaintiff
Recommendation/Reason:	Best interest to City to settle to avoid continuing defense costs
Amount to be Paid:	\$40,000 and transfer of property acquired during the In Rem auction process located at 1728 Welch Avenue, Niagara Falls, NY
Make Check Payable to:	Phillips Lytle LLP, as attorneys
Conditions:	Settlement Agreement and deed transfer to be approved by Corporation Counsel.

It is the recommendation of this Department that the above claim be paid under the terms set forth above. Will the Council so approve?

Respectfully submitted,

CRAIG H. JOHNSON  
Corporation Counsel

Kennedy  Scott  Tompkins  Voccio  Touma