



City of Niagara Falls, New York

P.O. Box 69, Niagara Falls, NY 14302-0069

DEPARTMENT OF LAW

October 26, 2022

The City Council
Niagara Falls, New York

RE: Request for approval to settle and pay wrongful death lawsuit of KAREN COLLIER as Administrator to the Estate of WAYNE D. DAVIS.

Date of Occurrence: June 6, 2019
Date Claim Filed: July 24, 2020 - deemed timely by nunc pro tunc Order
Date Action Commenced: October 2, 2020
Location: 1570 Buffalo Avenue, City of Niagara Falls
Nature of Claim: Wrongful Death/Personal Injury
City Driver: N/A
Status of Action: This case will be restored to the trial calendar of the New York State Supreme Court, Niagara County, if not settled.
Recommendation/Reason: Best interest of the City.
Amount to be Paid: \$50,000.00, payable within six months of City's receipt of signed General Release and Stipulation of Discontinuance.
Check Writing Details: Make payable to "CAITLIN ROBIN & ASSOCIATES, PLLC, as attorneys for Karen Collier, as Administrator of the Estate of Wayne D. Davis."
Conditions: Stipulation of Discontinuance and General Release must be received and approved by Corporation Counsel.

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

Respectfully submitted,

CHRISTOPHER M. MAZUR
Corporation Counsel

Bax _____ **Myles** _____ **Tompkins** _____ **Zajac** _____ **Spanbauer (Chair)** _____