

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: July 9, 2010

Enclosed with this memorandum are the following items:

- 7-3 Litigation Update from the Corporation Counsel dated July 9, 2010.
- 7-4 Meeting notice for the week of July 12, 2010 is available on the City website www.ryeny.gov under Calendar.

SDP/emm
Encs.

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Interim Corporation Counsel
SUBJECT: Litigation Update
DATE: July 9, 2010

LITIGATION
OSBORN v. CITY OF RYE

BEAVER SWAMP BROOK – (DEC Administrative proceeding)

151 PURCHASE STREET ASSOCIATES v. CITY OF RYE, ET AL.

Adjournment of preliminary conference to July 30, 2010 for sufficient time to file settlement papers and for County Clerk to docket same.

SCHUBERT v. CITY OF RYE, ET AL.

Vinny Tamburro was served with a non-party subpoena by Steven Gaines in the related matter Shubert v. Gates pending in Westchester County Supreme Court

R.B. CONWAY v. CITY OF RYE

DELLI PAOLI v. ZONING BOARD OF APPEALS

SHEW v. CITY OF RYE

MOLLOY v. PLANNING COMMISSION

TOWNSEND v. BOARD OF APPEALS

PANETTA v. PLANNING COMMISSION

HEAL the HARBOR v. CITY OF RYE

City was granted a brief adjournment to answer or otherwise move.

ROBERT and RITA SCHUBERT v. THE PLANNING COMMISSION OF THE CITY OF RYE, THE PLANNING COMMISSIONER OF THE CITY OF RYE, THE BUILDING INSPECTOR OF THE CITY OF RYE, THE CITY ENGINEER OF THE CITY OF RYE

AMIRAH TAYLOR, an infant, by her father and natural guardian, JARRETT TAYLOR, and JARRETT TAYLOR, Individually v. COUNTY OF WESTCHESTER, WESTCHESTER COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION, the CITY OF RYE and RYE PLAYLAND A/K/A PLAYLAND AMUSEMENT PARK.

The City was served with a summons and complaint claiming that the infant plaintiff sustained injuries on a ride at Playland Amusement Park. A notice of claim was previously served in August 2009 and denied by our insurance carrier. The complaint has been forwarded to our insurance carrier.

CITY COURT

Routine calendar with no unusual dispositions.

Respectfully submitted,



Kristen K. Wilson
Interim Corporation Counsel

KKW/dfn