

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

WILLIAM GAMBARDELLA

V.

CIVIL NO. 3:04cv1109(JBA)

JOHN DeSTEFANO, JR.
CITY OF NEW HAVEN
KAREN DuBOIS-WALTON
THOMAS UDE, JR.
TINA BURGETT
BOISE KIMBER
MALCOLM WEBBER
ZELMA TIRADO

AMENDED JUDGMENT

This cause came on remand from the Second Circuit, before the Honorable Janet Bond Arterton, U.S.D.J. On July 20, 2011, pursuant to Rule 68 of the Federal Rules of Civil Procedure, the defendants John DeStefano, Jr., Karen DuBois-Walton, Thomas Ude, Jr., Tina Burgett, Boise Kimber, Malcolm Webber, Zelma Tirado, and the City of New Haven made an Offer of Judgment to the plaintiff William Gambardella. On July 27, 2011, plaintiff Gambardella filed notice of his unconditional acceptance of said offer.

Therefore, it is hereby ORDERED and ADJUDGED that judgment is entered in favor of the plaintiff William Gambardella against defendants John DeStefano, Jr., Karen DuBois-Walton, Thomas Ude, Jr., Tina Burgett, Boise Kimber, Malcolm Webber, Zelma Tirado, and the City of New Haven in full and final satisfaction of on any and all claims brought in this lawsuit, including but not limited to claims brought under Title VII of the Civil Rights Act of 1964, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, 42 U.S.C. §1985 and Connecticut state law claims of intentional infliction of emotional distress, and any and all claims for monetary damages and/or any other form of relief.

The defendants shall pay the total sum of \$100,679.66 in cash, plus additional pension benefits of substantial value; of said total cash sum, \$40,271.86 will be payable by August 31, 2011 and \$60,407.80 will be payable by August 31, 2012. Upon retirement additional benefits as stated; back pay of \$16,859.15; interest on back pay of \$1,553.66; as to any tax ramifications of the back pay award, an award of a gross-up payment of \$5,000.00. As to any other claims for monetary damages

and/or any other form of relief except attorney fees and costs, awarded \$77,266.85 and three (3) years additional service with the New Haven Department of Fire Services (NHFD) for pension purposes, as described in the Offers of Judgment.

Dated at New Haven, Connecticut, this 1st day of August, 2011.

Robin D. Tabora, Clerk

EOD _____

_____/s/_____
Betty J. Torday
Deputy Clerk