

THOMAS R. SUOZZI
County Executive



LORNA B. GOODMAN
County Attorney

**COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY
Ralph G. Caso Executive and Legislative Building
One West Street
Mineola, New York 11501-4820
516-571-3056
FAX: 516-571-6684**

June 24, 2005

Honorable Denis R. Hurley
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: In re Nassau County Strip Search Cases
99-cv-2844 (DRH) (ARL) (Master Case)

Dear Judge Hurley:

This office represents the defendants in the above-referenced action. A settlement was reached in this matter on January 5, 2005 following a conference and the terms were placed on the record that day before your Honor. The settlement was, however, contingent upon approval by the Nassau County Legislature. Such approval was obtained on June 9, 2005, and the various necessary steps have commenced for the funds to be raised through sale of a bond.

Today I am electronically filing the Stipulation of Settlement. It has separate signature pages for each attorney. Attached to this letter is a proposed Final Judgment which has been approved by all parties for your Honor's consideration and endorsement.

Respectfully,

Bernadette K. Ford (4339)
Deputy County Attorney

cc: Robert L. Herbst, Esq.
Matthew D. Brinckerhoff, Esq.
Jeffrey G. Smith, Esq.
(all via electronic filing)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

FRANCIS O'DAY and STUART MOSKOWITZ,
individually and on behalf of
all others similarly situated,

CV 99-2844 (DRH) (ARL)

Plaintiffs,

v.

NASSAU COUNTY, NASSAU COUNTY
SHERIFF'S DEPARTMENT, DIVISION OF
CORRECTION, JOSEPH JABLONSKY,
Nassau County Sheriff, and
JANE/JOHN DOES Nos. 1-200,

Defendants.

-----X

GARDY AUGUSTIN, HEIDI KANE, MARY
KATHERINE PUGLIESE, GREGG WILLS,
STEVEN ROTH, OSCAR AVELAR, RALPH
DiLIELLO, et al, individually
and on behalf of all others
similarly situated,

CV 99-3126 (DRH) (ARL)

Plaintiffs,

v.

JOSEPH JABLONSKY, individually
and as Nassau County Sheriff,
JOHN AND JANE DOES NO. 1-100,
and COUNTY OF NASSAU, a municipal
corporation,

Defendants.

-----X

JOHN IAFFALDANO, individually and
on behalf of all others similarly
situated,

CV 99-4238 (DRH) (ARL)

Plaintiff,

v.

THE COUNTY OF NASSAU, THE NASSAU
COUNTY SHERIFF'S DEPARTMENT,
DIVISION OF CORRECTIONS, and
JOSEPH P. JABLONSKY,
Sheriff of Nassau County,

Defendants.

-----X

FINAL JUDGMENT

DENIS R. HURLEY, U.S.D.J.:

In accordance with the terms of the Stipulation of Settlement entered in open court between all parties on January 5, 2005 and subsequently reduced to writing and executed by the Parties on or about May 17, 2005 and "So Ordered" by this Court on June ____, 2005, final judgment will be entered in favor of the ten individual plaintiffs in the three consolidated cases against defendants County of Nassau and Joseph Jablonsky, jointly and severally, in the aggregate amount of \$350,000 in compensatory damages for personal injury. Plaintiffs have requested that the \$350,000 in damages be distributed evenly among the ten individual plaintiffs. Defendants have no objection to this distribution. The parties agree that the \$35,000 in compensatory damages received by each individual plaintiff in no way reflects a concession by defendants that the amount received is the actual value of any such claim made now or in the future.

The Clerk is hereby directed to enter final judgment for each of the individual plaintiffs against defendants County of Nassau and Joseph Jablonsky, jointly and severally, as follows:
Francis O'Day - \$35,000; Stuart Moskowitz - \$35,000; Gardy Augustin - \$35,000; Heidi Kane - \$35,000; Mary Pugliese - \$35,000; Gregg Wills - \$35,000; Steven Roth - \$35,000; Oscar Avelar - \$35,000; Ralph DiLiello - \$35,000; and John Jaffaldano - \$35,000.

In accordance with the terms of the Stipulation of Settlement, plaintiffs' claims for

attorneys' fees and costs are expressly reserved and preserved until after the resolution of plaintiffs' appeal as of right to the Second Circuit of the denial of class certification.

Clerk to enter judgment.
SO ORDERED.

DENIS R. HURLEY, U.S.D.J.

Dated: New York, New York
June __, 2005