

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

-----X		
FRANK RICCI, ET AL.	:	NO: 3:04-CV-1109 (JBA)
plaintiffs	:	
	:	
v.	:	
	:	
JOHN DESTEFANO, JR, ET AL.	:	
defendants	:	JULY 20, 2011
-----X		


DEFENDANTS' OFFER OF JUDGMENT

Pursuant to Federal Rule of Civil Procedure 68, the defendants, the City of New Haven, John DeStefano, Jr., Karen DuBois-Walton, Thomas Ude, Jr., Tina Burgett, Boise Kimber, Malcolm Webber and Zelma Tirado, hereby make the following offer of judgment to plaintiff Sean Patton in full and final satisfaction of 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 of the United States Constitution, 42 U.S.C. § 1985 and the Connecticut state law claim of intentional infliction of emotional distress: the total sum of \$52,266.85 in cash and additional pension benefits of substantial value as full satisfaction of any and all claims brought in this lawsuit, as more fully described below. If accepted, \$20,906.74 will be payable by August 31, 2011 and \$31,360.11 will be payable by August 31, 2012. As further described below, the additional pension benefits will be available upon retirement.

As to any claims for monetary damages and/or any other form of relief, except for attorney fees and costs<sup>1</sup>, the defendants offer \$52,266.85 and three (3) additional years of service in the New Haven Department of Fire Services (“NHFD”) for pension purposes. For example, if Sean Patton were to retire after 20 years of service in the NHFD, if he accepted this offer, he would be eligible to receive pension benefits equivalent to someone who had served 23 years in the NHFD.

In sum, if accepted, judgment will enter against all defendants and in favor of John Sean Patton, as set forth above.

THE DEFENDANTS  
CITY OF NEW HAVEN  
JOHN DESTEFANO, JR.  
KAREN DUBOIS-WALTON  
THOMAS UDE, JR.  
TINA BURGETT  
BOISE KIMBER  
MALCOLM WEBBER  
ZELMA TIRADO

By   
Richard A. Roberts (ct 07665)  
Stacey L. Pitcher (ct27111)  
NUZZO & ROBERTS, L.L.C.  
One Town Center  
P.O. Box 747  
Cheshire, Connecticut 06410  
Tel: (203) 250-2000  
Fax: (203) 250-3131  
rroberts@nuzzo-roberts.com  
spitcher@nuzzo-roberts.com

---

<sup>1</sup> The defendants are simultaneously serving a separate Offer of Judgment as to attorney fees and costs.

CERTIFICATION

This is to certify that on July 20, 2011 a copy of the foregoing was served via electronic mail and U.S. Mail to the following counsel:

Karen Lee Torre, Esq.  
The Pattis Law Firm  
649 Amity Road  
Bethany, CT 06524



---

Richard A. Roberts

\\fp01\nuzzo\WP\401002\259\REMAND\PLEADINGS\Offers of Judgment\Patton 07 20 11.doc

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

FRANK RICCI, et al, : NO. 3:04CV01109 (JBA)  
Plaintiffs, :  
v. :  
JOHN DESTEFANO, et al., :  
Defendants. : July 27, 2011

PLAINTIFF SEAN PATTON'S NOTICE OF ACCEPTANCE  
OF OFFER OF JUDGMENT

Plaintiff Sean Patton hereby unconditionally accepts the offer of judgment by the defendants City of New Haven, John DeStefano, Jr., Karen DuBois-Walton, Thomas Ude, Jr., Tina Burgett, Boise Kimber, Malcolm Webber and Zelma Tirado served on July 20, 1011, a copy of which is attached hereto.

THE PLAINTIFF, SEAN PATTON

BY:   
Karen Lee Torre  
Fed. Bar No. ct01707  
The Pattis Law Firm, LLC  
649 Amity Road  
Bethany, CT 06524  
Tel: (203) 393-3017  
Fax: (203) 393-9745  
ktoerre@pattislaw.com

His Attorney

CERTIFICATION OF SERVICE

I hereby certify that on July 27, 2011 notice of acceptance of the said offer was served on the defendants by hand-delivery of same to their counsel of record as follows:

Richard A. Roberts  
Stacey L. Pitcher  
Nuzzo & Roberts, L.L.C.  
One Town Center  
P.O. Box 747  
Cheshire, Connecticut 06410

Notice of this electronic filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.



\_\_\_\_\_  
Karen Lee Torre