

INTRO 3-7

ECLEG FEB07'12 AM10:47

A RESOLUTION TO BE SUBMITTED BY LEGISLATOR GRANT

RE: Authorization of Discontinuance of Suit Without Costs

WHEREAS, petitioners to a Supreme Court proceeding, entitled Whyte, et al v. Collins, et al [Erie County Index No. 2010-12480], entered into a Stipulation of Discontinuance with respondent former County Executive Collins; and

WHEREAS, the Erie County Legislature was a respondent party to the proceeding and appeared by its counsel; and

WHEREAS, petitioners and other appearing parties have proposed to conclude the matter without costs to the Legislature upon execution of the Stipulation of Discontinuance.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorize and direct Chair Betty Jean Grant and Majority Counsel Jerome D. Schad, Esq., to execute all appropriate documents as may be required on behalf of the Erie County Legislature to settle and discontinue the proceeding entitled Whyte, et al v. Collins, et al [Erie County Index No. 2010-12480] without costs to the Legislature; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to forward a certified copy of this resolution to Majority Counsel Jerome D. Schad, Esq.

FISCAL IMPACT: None for resolution.