



**RESOLUTION 19-56**

**Resolution Authorizing Settlement as to Christopher M. Quaste and Michael Bender in the Litigation Captioned Papp et al v. Dudeck et al., Docket No. Mer-L-1836-13**

**WHEREAS**, Christopher M. Quaste and Michael Bender, among others, commenced litigation in the Superior Court of New Jersey, captioned *Papp, et al. v. Dudek, et al.*, Docket No. MER-L-1836-13; and

**WHEREAS**, the Municipality of Princeton and the Princeton Police Department, along with its insurers, through Summit Risk Services, at all times have been prepared to vigorously defend against the claims through the courts and to try these matters to their conclusion, if necessary; and

**WHEREAS**, notwithstanding Princeton and the carriers' willingness and readiness to defend against these claims, Princeton and the carriers have also engaged in and completed settlement negotiations in an attempt to resolve their claims without further litigation cost or expense; and

**WHEREAS**, with the recommendation of its insurance carriers, Princeton deems it appropriate to settle these claims; and

**WHEREAS**, in settling these claims, Princeton has not and does not make any admission of liability, but rather has decided that a negotiated settlement of these claims serves the public's interest in avoiding further costs of litigation that would have been incurred in the defense of the litigation, as well as the operational disruptions of a trial; and

**WHEREAS**, Christopher M. Quaste and Michael Bender, through counsel are each expected to execute a Settlement Agreement and Mutual Release in a form acceptable to the Princeton municipal attorney and to defense counsel assigned by the insurance carrier, together with a stipulation of dismissal with prejudice of their claims;

**NOW, THEREFORE, BE IT RESOLVED** by the Princeton Council as follows:

1. All of the above recitals are incorporated herein by reference as if repeated at length.
2. The Princeton Council hereby approves and authorizes the resolution of Christopher Quaste's and Michael Bender's claims for payments of One Hundred and Fifty Thousand Dollars (\$150,000.00) to Christopher Quaste and One Hundred and Twenty-Five Thousand Dollars (\$125,000.00) to Michael Bender, by and through Princeton's primary and/or excess liability insurance carrier, with no admission of liability and contingent upon Princeton receiving a signed Settlement Agreement and Mutual Release and stipulation of dismissal with prejudice from Christopher M. Quaste and Michael Bender

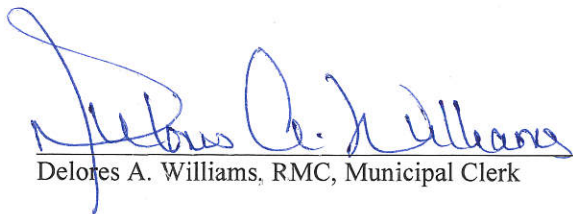
in a form acceptable to the Princeton municipal attorney and to defense counsel assigned by the insurance carrier.

**STATEMENT**

This resolution authorizes the settlement of litigation with Christopher Quaste and Michael Bender for any and all claim in the amounts of One Hundred Fifty Thousand Dollars (\$150,000.00) and One Hundred and Twenty-Five Thousand Dollars (\$125,000.00) respectively, inclusive of all attorney's fees and costs, to be paid by Princeton's insurance carrier (except for such deductibles and co-insurance payments as Princeton may be obligated to make in accordance with the terms of the applicable insurance policies).

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Mr. Cohen	X							
Ms. Crumiller		X			X			
Ms. Fraga		X	X		X			
Ms. Niedergang		X		X	X			
Mr. Quinn		X			X			
Mr. Williams		X			X			
Mayor Lempert		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held on February 11, 2019.



Delores A. Williams, RMC, Municipal Clerk

**ATTACHMENTS:**

- Settlement Release Quaste (PDF)
- Settlement Release Bender (PDF)