



Suffolk moves to settle \$4.5M suit over bus accident

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Suffolk County is moving to settle a \$4.5 million lawsuit over a 2005 accident in Stony Brook in which a Suffolk County bus hit a Jeep driven by Rabbi Abraham Rabenstein, who suffered brain injuries and became permanently disabled.

A resolution approved in the legislature's budget committee Tuesday would authorize the county to borrow \$3 million to pay the bulk of proposed settlement.

The remainder would be paid by AIG, which provides Suffolk, which is self-insured, with excess coverage, county officials said. The full legislature is expected to vote on the financial arrangements Tuesday.

At the committee meeting, Deputy County Attorney Gail Loliss only described the case as involving a bus accident, but declined to identify the plaintiffs. However, several legislative sources confirmed it is the suit brought in 2007 by Rabenstein's wife, Caroline, who is also his guardian.

In a bond prospectus in February, the county described the suit as a "negligence action where the plaintiff claims the bus was driving at an excessive speed." The county maintained that Rabenstein failed to stop for a blinking red light.

State Supreme Court Justice Ralph Gazzillo denied the county's motion for summary judgment because of factual questions about whether Rabenstein was already in the intersection as the county bus driver approached the yellow light and whether the bus driver should have yielded.

Richard Apat, attorney for the Rabenstein family, declined to comment until the settlement is finalized.

The lawsuit had named the county, the public works department, which oversees the county bus system, bus driver Peggy Costello and CBS Lines Inc., a company that operates buses for the county.

According to court papers, the accident occurred Dec. 22, 2005, at the intersection of Health Sciences Drive and Health Science Center Road. The suit claims that Costello passed a flashing yellow light without stopping before entering the intersection and failed to yield to Rabenstein's vehicle, which was already in the intersection.

Rabenstein was on his way to a chaplains' luncheon when the crash occurred, according to the suit.