

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

LEXINGTON INSURANCE COMPANY	:	
<i>Plaintiff</i>	:	
	:	
v.	:	C.A. No. 21-cv-00128-WES-LDA
	:	
CENTRAL FALLS DETENTION FACILITY	:	
CORPORATION	:	
<i>Defendant</i>	:	

**CONSENT JUDGMENT**

Plaintiff Lexington Insurance Company (“Lexington”) and Defendant Central Falls Detention Facility Corporation (“CFDFC”), after having participated in the Court’s Alternative Dispute Resolution Program, hereby consent to entry of judgment as follows:

**1.** Entry of Judgment. Judgment enters for Lexington in the amount of \$100,000.00 and pre-judgment interest in the amount of \$52,000 (collectively, the “Judgment Amount”). Execution of said judgment is stayed, provided that CFDFC complies with the following payment schedule:

**a.** CFDFC shall pay Lexington \$10,000 within 14 days of entry of this Consent Judgment (the “Initial Payment”);

**b.** Thereafter, starting with the next full month after the Initial Payment, CFDFC shall pay Lexington the following monthly amounts (the “Monthly Payments”), based on the CFDFC’s average daily population (ADP), as follows:

- Fewer than 600: \$0
- 600-629: \$3,000
- 630-659: \$6,000
- 660-689: \$9,000
- 690-719: \$12,000
- 720+: \$15,000

c. CFDFC shall continue to make the Monthly Payments until it has paid Lexington a total of \$100,000.00 (the “Settlement Amount”), inclusive of the Initial Payment, plus simple interest at the rate of six per cent (6%) per annum on the Settlement Amount, at which time, this Consent Judgment and the Judgment Amount shall be deemed to have been satisfied in full; provided however, if CFDFC pays Lexington \$100,000.00 within one year of the Initial Payment, interest on the Settlement Amount shall be waived and the Judgment Amount shall be deemed satisfied in full; and, provided further, in the event that that if CFDFC fails to comply with the foregoing payment schedule, execution shall issue on motion and notice for the full Judgment Amount, plus statutory interest, less any payments made by CFDFC hereunder.

**2. Manner of Payment.** CFDFC shall mail the Initial Payment and each monthly payment to the following address: c/o/Matthew D. Kennedy, Fitzpatrick & Hunt, Pagano, Aubert, LLP, 1 Landmark Square, 21<sup>st</sup> Floor, Stamford, CT 06901, no later than the last day of the following calendar month along with a document showing the prior month’s ADP. By way of example, if CFDFC’s ADP is 675 for the month of November, 2021, then CFDFC shall mail Lexington a payment of \$9,000 and November’s ADP calculation no later than December 31, 2021.

**3. Satisfaction of Judgment.** No later than 30 days after CFDFC’s payment of the Settlement Amount (and any interest accrued pursuant to Section 1(c)), Lexington shall file a Satisfaction of Judgment.

**4. Release.** In consideration of these terms, Lexington, on its own behalf and on behalf of its respective shareholders, owners, employees, reinsurers (if any), agents, and

representatives, remises, releases, and forever discharges CFDFC, its directors, employees, lenders, insurers, bondholders, agents, and representatives, from any and all debts, demands, actions, claims, damages, liabilities, attorneys' fees, costs, and interest (except as set forth in this agreement), now existing, known or unknown, latent or obvious, or which may result from the existing state of things, which Lexington now has or ever had against CFDFC with respect to all claims asserted by Lexington – or that could have been asserted – against CFDFC in this action.

**SO ORDERED:**



10/5/2021

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**LEXINGTON INSURANCE COMPANY**

**CENTRAL FALLS DETENTION  
FACILITY CORPORATION**

By its Attorneys,

By its Attorneys,

/s/Peter Brent Regan

/s/William S. O'Gara

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**CERTIFICATION**

On September 20, 2021, I caused this document to be filed using the Court's electronic filing system. Therefore, it is available for downloading and viewing by registered users who have signed up to receive notices in this case.

/s/ William E. O'Gara