

O'Connell civil suit for shooting incident dismissed after settlement

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QUINCY — The day before Robert O'Connell was paroled, his lawyer and the man he pleaded guilty to shooting signed a deal to quash a civil lawsuit seeking \$1.5 million in damages. Terms were not disclosed of the settlement between O'Connell, the son of one of Quincy's most prominent developers, and Joseph Fasano, a Marine and former Milton firefighter. Fasano's attorney, Robert Casby, said an agreement was reached to keep terms confidential "for the benefit of both parties."

"Mr. Fasano is a man who was shot and lost a piece of his liver," Casby said. "So whatever he recovered, he's never going to replace his liver."

Edward Cooley, O'Connell's attorney in the civil case, did not return a call for comment.

Fasano was seeking \$1.5 million in his civil suit, which was filed the month after the December 2009 shooting. He said in a court filing that his medical bills related to the shooting were expected to exceed \$500,000, and that the effects of his injuries were expected to be permanent.

O'Connell, 42, was charged with attempted murder in the shooting, which took place during a traffic altercation with Fasano on Commander Shea Boulevard in Quincy.

In September, O'Connell reached a plea deal in which he was sentenced to six months in jail and seven years' probation. The filing informing the court of the settlement was signed by attorneys Nov. 20, the day before O'Connell was paroled.

The filing, called a stipulation of dismissal, dismisses all claims, counter-claims, cross-claims and third-party claims related to the suit. The parties also waived appeal rights.

The day O'Connell copped his plea, a prosecutor said in court Fasano was concerned a trial would be too traumatic and would bring up issues related to his combat experience. In remarks to the court, Fasano said he was not vengeful toward O'Connell and wanted to put the episode behind him.

O'Connell, incarcerated for the first time, was released after he came up for a parole review hearing, said Terrel Harris, a spokesman for the state Department of Public Safety, which oversees the Parole Board.

Harris said the Parole Board assigned O'Connell a home confinement plan and required him to complete an anger management course.

"They said that he had a very limited criminal record, strong family support and that he was remorseful," Harris said. "They thought that he'd benefit from the supervision of being on parole."

The shooting — initially described by authorities as a road-rage incident — occurred just before midnight Dec. 13, 2009, on a ramp at Hancock Street and Commander Shea Boulevard in Quincy. Robert O'Connell, driving in front of Fasano, came to a stop in front of his car. Fasano exited his car, the two exchanged words, and O'Connell shot Fasano in the stomach.

O'Connell is the son of Peter O'Connell, a former mayoral candidate in Quincy, who, along with his brother, William, developed Marina Bay, Granite Links Golf Course and other large-scale projects in Quincy and Boston.