



## Legislation Details (With Text)

**File #:** 12-1842      **Version:** 1      **Name:** Workers' Compensation Settlement  
**Type:** Resolution      **Status:** Filed  
**File created:** 8/28/2012      **In control:** Law  
**On agenda:** 9/19/2012      **Final action:** 9/19/2012

**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Workers' Compensation  
C.P. No.: 2005-25179  
Claimant: Dominick Caruso  
Claimant's Attorney: Annette Scoca, Esq.  
Attorney's Address: 395 Franklin Avenue, P.O. Box 1649, Bloomfield, New Jersey 07003  
Settlement Amount: \$58,183.33  
Funding Source: City of Newark, Department of Law  
Additional Comments:  
Personal injuries in connection with an accident that occurred on November 3, 2003, while working for the Newark Police Department.

Invitation: Corporation Counsel date to be entered by Clerk's Office

**Sponsors:**

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 9/19/2012 | 1    | Municipal Council | Adopt  | Pass   |

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**WHEREAS**, the Petitioner, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2005-25179 against the City of Newark seeking workers' compensation benefits as a result of an accident that he suffered on November 3, 2003 while working for the Newark Police Department; and

**WHEREAS**, said Dominick Caruso, through his attorney, has agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of Fifty-One Thousand, Four Hundred Thirteen Dollars, and Thirty-Three Cents (\$51,413.33). Pursuant to the terms of the settlement order to be executed by the Judge of Compensation, the City of Newark will also pay an attorney's fee of Six Thousand Two Hundred Eighty Dollars (\$6,280.00), a medical evaluation fee of Four Hundred Dollars (\$400.00) and a transcription fee of Ninety Dollars (\$90.00); and

**WHEREAS**, the total value of this settlement with the above referred to fees amounts to Fifty-Eight Thousand, One Hundred Eighty-Three Dollars, and Thirty-Three Cents (\$58,183.33); and

**WHEREAS**, based upon all the facts and circumstances surrounding the matter it is deemed in the best interest of the City of Newark to accept said settlement in the total amount of Fifty-Eight Thousand, One Hundred Eighty-Three Dollars and Thirty-Three Cents (\$58,183.33).

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Corporation Counsel is hereby authorized on behalf of the City of Newark to execute and accept the terms of the settlement of the Workers' Compensation matter bearing C. P. No. 2005-25179.
2. Upon receipt of all supporting documents by the Corporation Counsel, the Director of Finance is hereby authorized to issue a check in the amount of Forty-Seven Thousand Thirteen Dollars and Thirty-Three Cents (\$47,013.33) made payable and mailed to Dominick Caruso, 18 Bogle Drive, Lyndhurst, New Jersey 07070. (It is understood that pursuant to the terms of the order to be entered by the Judge of the Division of Workers Compensation, Four Thousand Dollars (\$4,000.00) is being subtracted from the Petitioner's award to pay attorney's fee, and Four Hundred Dollars (\$400.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
3. Upon receipt of all supporting documents by the Corporation Counsel, the Director of Finance is hereby authorized to issue a check in the amount of Ten Thousand, Two Hundred, Eighty Dollars (\$10,280.00) made payable to Annette Scoca, Esq., LLC, 395 Franklin Street, P.O. Box 1649, Bloomfield, New Jersey 07003.
4. Upon receipt of all supporting documents by the Corporation Counsel, the Director of Finance is hereby authorized to issue a check in the amount of Four Hundred Dollars (\$400.00) made payable to Dr. Arthur H. Tiger, MD. PA, 600 Mt. Pleasant Avenue, Suite E, Dover, New Jersey 07801-1638.
5. Upon receipts of all supporting documents by the Corporation Counsel, the Director of Finance is hereby authorized to issue a check in the amount of Four Hundred Dollars (\$400.00) made payable to Dr. Angela Adams, MD, LLC, Riverside Medical, 117 Kinderkamack Road, Suite 102, River Edge, New Jersey 07661.

6. Upon receipt of all supporting documents by the Corporation Counsel, the Director of Finance is hereby authorized to issue a check in the amount of Ninety Dollars (\$90.00), made payable to William C. O'Brien Associates, P. O. Box 428 Kenilworth, New Jersey 07033.

7. Attached hereto are the certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is Fund 024, Agency 24T, Orgn 5T24, Object 96310.

8. A fully executed copy of the Order Approving Settlement, the Comptroller's Certifications and Resolution shall be filed in the Office of the City Clerk by the Corporation Counsel.

### **STATEMENT**

This resolution authorizes the Corporation Counsel, on behalf of the City of Newark, to effectuate settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$58,183.33, brought by Dominick Caruso who suffered injuries arising out of an accident that occurred on November 3, 2003.