



Legislation Details (With Text)

File #: 16-1617 **Version:** 1 **Name:** Workers' Compensation (Thomas Hodge)
Type: Resolution **Status:** Adopted
File created: 10/17/2016 **In control:** Law
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Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2013-26112
Claimant: Thomas Hodge
Claimant's Attorney: Law Offices of Feeley & LaRocca, John D. Feeley, Esq.
Attorney's Address: 76 South Orange Avenue, Suite 211, South Orange, New Jersey 07079
Settlement Amount: \$42,451.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, December 20, 2016

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/21/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Thomas Hodge, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2013-26112 against the City of Newark seeking workers' compensation benefits as a result of injuries he sustained following an accident on August 27, 2013, while working for the City of Newark Department of Public Safety - Fire Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Feeley & LaRocca, Corporation Counsel and/or Chasan Leyner & Lamparello, P.C. ("Outside Counsel") 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 \$37,644.00 (Thirty Seven Thousand Six Hundred

Forty Four Dollars and Zero Cents). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney's fee of \$4,517.00 (Four Thousand Five Hundred Seventeen Dollars and Zero Cents), a medical evaluation fee of \$200.00 (Two Hundred Dollars and Zero Cents) and a transcription fee of \$90.00 (Ninety dollars and Zero Cents); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to \$42,451.00 (Forty Two Thousand Four Hundred Fifty One Dollars and Zero Cents); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of \$42,451.00 (Forty Two Thousand Four Hundred Fifty One Dollars and Zero Cents).

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

1. The settlement of the Workers' Compensation matter bearing C. P. No. 2013-26112 is hereby approved.

2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

(a) \$34,433.00 (Thirty Four Thousand Four Hundred Thirty Three Dollars and Zero Cents) made payable and mailed to Thomas Hodge, 51-53 West Runyon Street, Newark, New Jersey 07108. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$3,011.00 (Three Thousand Eleven Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$200.00 (Two Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

(b) \$7,528.00 (Seven Thousand Five Hundred Twenty-Eight Dollars and Zero Cents) made payable to Law Offices of Feeley & LaRocca, 76 South Orange Avenue, Suite 211, South Orange, New Jersey 07079.

(c) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Dr. David Weiss, 1460 Livingston Avenue, Bldg. 400, North Brunswick, New Jersey 08902.

(d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand, P.O. Box 227, Allenhurst, New Jersey 07111.

3. 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 Business Unit NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 96310. A copy of the Comptroller's Certifications shall be filed by the Corporation Counsel in the Office of the

City Clerk along with a copy of this Resolution.

STATEMENT

This resolution authorizes the Corporation Counsel or his designee, Chasan Leyner & Lamparello, P.C., 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 \$42,451.00 (Forty Two Thousand Four Hundred Fifty One Dollars and Zero Cents) brought by Thomas Hodge, 51-53 West Runyon Street, Newark, New Jersey, 07108, who suffered injuries arising out of an accident that occurred on August 27, 2016 while working for the City of Newark Department of Public Safety - Fire Division.