



Legislation Details (With Text)

File #: 16-1995 **Version:** 4 **Name:** Workers' Compensation (Craig Rogers)
Type: Resolution **Status:** Adopted
File created: 12/20/2016 **In control:** Law
On agenda: 3/1/2017 **Final action:** 3/1/2017

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2012-30387
Claimant: Craig Rogers
Claimant's Attorney: Jonathan H. Rosenbluth, Esquire.
Attorney's Address: 76 South Orange, South Orange, New Jersey 07079
Settlement Amount: \$26,535.45
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, February 28, 2017

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/1/2017	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Craig Rogers, instituted suit in the Division of Workers' Compensation of New Jersey, Middlesex County, bearing C.P. Number 2012-30387 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on October 25, 2011 while working for the City of Newark; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Jonathan H. Rosenbluth, Esq., Corporation Counsel and/or his designee, Martin M. Glazer, Esq. ("Outside Counsel") have 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 Twenty-Three Thousand Four Hundred Thirty-Three Dollars and Forty-Five Cents (\$23,433.45). 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 attorneys' fee of Two Thousand Eight Hundred Twelve Dollars and Zero Cents (\$2,812.00), a medical evaluation fee of Two Hundred Dollars and Zero Cents (\$200.00) and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty-Six Thousand Five Hundred Thirty-Five Dollars and Forty-Five Cents (\$26,535.45); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in the amount or distribution at the time the Settlement Agreement is approved and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution; 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 Twenty-Six Thousand Five Hundred Thirty-Five Dollars and Forty-Five Cents (\$26,535.45).

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. Number 2012-30387 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) \$20,926.20 (Twenty Thousand Nine Hundred Twenty-Six Dollars and Twenty Cents) made payable and mailed to: Craig Rogers, 826 Lyons Avenue, Basement Floor, Irvington, New Jersey, 07112. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$1,874.00 and Zero Cents (One Thousand Eight Hundred Seventy-Four Dollars) is being subtracted from the Petitioner's award to pay attorney fees and \$200.00 (Two Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations and \$433.25 (Four Hundred Thirty-Three Dollars and Twenty Five Cents) is being subtracted to pay for medical records reimbursement in accordance with the settlement provisions.

(b) \$4,686.00 (Four Thousand Six Hundred Eighty-Six Dollars and Zero Cents) made payable to Jonathan H. Rosenbluth, Esq., 76 South Orange Avenue, South Orange, New Jersey 07079, which includes medical records reimbursement.

(c) \$433.25 (Four Hundred Thirty-Three Dollars and Twenty Five Cents) made payable

to Jonathan H. Rosenbluth, Esq., 76 South Orange Avenue, South Orange, New Jersey 07079, for medical records reimbursement.

(d) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Sall/Myers Medical Associates, P.O. Box 2947, Paterson, New Jersey 07509.

(e) \$90.00 (Ninety Dollars and Zero Cents) made payable to Guy J. Renzi & Associates, 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690-1700.

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 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 Corporation Counsel or his designee, Martin M. Glazer, Esq., 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 Twenty-Six Thousand, Five Hundred Thirty-Five Dollars and Forty-Five Cents (\$26,535.45) brought by Craig Rogers of 826 Lyons Avenue, Basement Floor, Irvington, New Jersey, 07112, who suffered injuries arising out of an accident that occurred on October 25, 2011, while he was employed by the City of Newark.